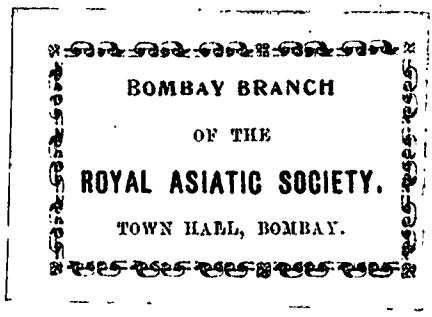
00032267

NOT TO BE ISSUED
OUT OF THE LIBRARY.



Digitized with financial assistance from the
Government of Maharashtra
on 21 October, 2015

THE

LIFE

OF

MARY, QUEEN OF SCOTS.

P. Paillou pinx.t E. Scriven, sculp.t

MARY QUEEN OF SCOTS.

London Nov.r 1.1808 Published by J. Murray, Albemarle Street.

THE

LIFE

OF

MARY, QUEEN OF SCOTS;

DRAWN FROM THE STATE PAPERS.

WITH

SIX SUBSIDIARY MEMOIRS:

ILLUSTRATED WITH

TEN PLATES OF MEDALS, PORTRAITS, AND PROSPECTS.

BY GEORGE CHALMERS, F.R.S. S.A.

32267
ae

IN TWO VOLUMES.

VOL. II.

LONDON:

PRINTED FOR JOHN MURRAY, ALBEMARLE-STREET;
BY RICHARD AND ARTHUR TAYLOR, SHOE-LANE.

1818.

GUD
928.141
Marshall
32267

Veritas occultari ad tempus potest; vinci non potest.

D. AUGUSTINUS.

00032267

THE LIFE OF Mary, Queen of Scots.

MEMOIR I.

Of the Calumnies, concerning Mary Steuart, from her cradle, to her grave.

THE very birth of the queen was maligned, by the calumnious pen of the Scotish reformer: "In the mean time," says he, "was the queen upon the point of her delivery, in Lynlithgow, who was delivered the [7] 8th day of December 1542, of Mary, that then was born, and now does reign, for *a plague to this realm:*" "The real father of Mary," adds this calumniator, "was Cardinal Beaton; and the suspicion thereof caused him to be inhibited the queen's company[a]."

But, what is this scandal to Knox's "First Blast to the Monstrous Government of Women[b]?" Beyond the vehemence of

[a] Knox's *History*, 31. Archbishop Spottiswoode, however, who had full as good opportunities of knowing the truth, charges Knox with forging dishonest things of the queen-mother: and adds, that this reformer, in his whole discourse, shews a bitter, and hateful spite against her. *Hist.* 146-7. See Keith *Appendix* 89, who concurs with Spottiswoode.

[b] Strype's *Annals*, i. 122-3.

Knox even his own fanaticism could not easily go: with the Bible, in his hand, and Calvinism, in his head, he forgot, through life, the divine commands; Not to bear false witness against his neighbour; not to speak evil of dignities.

Mary's person, whatever might be her beauty, or her wit, did not protect her throughout an envious reign. Soon after her birth, in an interview, between the queen-mother, and Sir Ralph Sadler, the English ambassador, the queen said, "that it had been reported *her child was not likely to live;* but, you shall see, quoth she, whether that be true, or not; and therewith she caused me to go with her to the chamber, where the child was, and shewed her unto me, and also caused the nurse, to unwrap her out of her clothes, that I might see her naked. I assure your majesty, it is as goodly a child, as I have seen of her age, and as like to live, with the grace of God[c]." It was Hamilton, Earl of Arran, the heir presumptive of the Scotish crown, who had thus spoken of the infant queen, *as being unlikely to live;* and whose intimation was thus disproved, by the queen-mother, a princess of great sense, as well as, of sound discretion.

Not only were the birthright, and the health of Mary calumniated, but her education is misrepresented, as corrupt: "The court of Henry II. of France is said to have been most dissolute, as well as the most refined, in Europe." But, was the court of Henry II. more dissolute than that of Henry VIII.? What were the corruptions of those courts to the wickedness of the Murrays, and Mortons, and Maitlands of reformed Scotland; who murdered the king, and cast the guilt thereof upon the disconsolate queen! The early education of Mary, continues Mr. Laing, under her uncles, and Catharine of Medicis, at a court, which produced such flagitious characters, as Charles IX, Henry II, and Margaret of

[c] Sadler's Letter to Henry VIII. 23d March 1549. *State Papers*, i. 87. It is here curious to observe, that Sir Ralph Sadler lived to enquire into the conduct of the Scotish queen, at the end of five and twenty years, when he maligned her to Elizabeth, in his letter, from York. *Ibid.* 337.

Anjou, among persons, who afterwards projected the "massacre of Paris, can give us no great assurance of a mind, utterly incapable of those crimes, which have been laid to her charge[d]." But, who ever heard of a mind utterly incapable of corruption! His zeal of crimination did not allow Mr. Laing to perceive, that the Reformation itself, in the tumultuous mode, in which it was, generally, effected, produced flagitiousness of character; as all violent revolutions have the worst effect on the human temperament. There is more knowledge of life, in a common observation of the Scotish queen, which she used to repeat, in a French phrase, than in a thousand of Laing's sophistries: *The best of women are but women at best.* It is, at the same time, curious to recollect, that every calumniator of womankind, from Iago to Laing, when he would ruin an individual, by detraction, always begins his attack, by calumniating the whole sex. Yet, where is Mr. Laing's charge against the princess, whose mind was not utterly incapable of corruption? Where are his proofs? When the busy hand of forgery shall have produced a dozen love letters, some love sonnets, and a couple of marriage contracts, between a married woman, and a married man; then, will the calumniator of Mary Steuart produce his charge, with all those proofs, for the belief of the credulous, and the disputation of polemicks. Till the infant queen was sent to France, in July 1548, she was educated, under the parental eye of a circumspect mother, in Stirling Castle, and in Inch Mahome, within the impervious recesses of Monteith[e]. When thus secured, from

---

[d] Laing's *Dissertation*, 1-4.

[e] An isle, in the loch of Monteith, having a monastery, from ancient times. She was therein committed to the hands of John, lord Erskine, and Alexander, lord Livingston, who each received, for their care, 80*l.*, a month, from the last of November 1545 to the last of February 1547-8; being the day, on which they departed, with the queen, from Inch Mahome, to Dumbarton, on her voyage to France. In the Parliament of Haddington, on the 20th of July 1548, those noble lords received a formal discharge, for their faithful performance of that important trust; the queen being then sent to France, with "assent of the Estates."

the arms, and the arts, of Henry VIII, and of Edward VI, we may say of Mary, with Waller:

> " Happy is she, that from the world retires,
> " And, carries with her what the world admires."

The Scotish queen arrived, at Brest, on the 13th of August 1548. She was now sent, when she was not quite six, to a monastery, which was appropriated to the education of the noblest virgins of France. Here, was she educated, at a distance, from court, not only in all the accomplishments of her sex, but, in those classical studies, that are appropriate to boys: so that, when she was not more than twelve years old, she is said " to have been so well acquainted with Latin, Italian, and French, that she made verses, in all those languages, as well as her own." She was married to the Dauphin, at the age of sixteen, when she was admired, for her accomplishments, and respected for her virtues. Even the Huguenots of France, who were full as censorious, as the Knoxites of Scotland, did not so much calumniate Mary's character, as her kingdom, whose amalgamation with France they supposed, with more cavil than policy, to have been injurious to France. The steadiness, with which she adhered to her religion, through many a trial of her temper, is the best proof of its effects upon her life; the length of her mourning, for her first husband, who died on the 5th of December 1563[f], and the vehemence of her grief, for her second; demonstrate, that her heart was uncorrupted, by courts, and her manners were uncontaminated, by the various changes of a vicious age. Scotish writers would do well not to reproach other nations with such corruption, as the scribblers of such nations may retort the murder of Cardinal Beaton, by the pensioners of a reformed king, the assassination of Rizzio, by a protestant lord Chancellor, in the presence of the queen, for the good of *the religion;*

[f] When Knox mentions "the death of the young king of France," he speaks of him as, " the husband to our JESABEL." *Hist.* ed. 1, p. 506.

and the strangling of a king, by a reformed faction, for the base purpose of letting in a bastard to the vice-regal chair.

Something of the same injurious spirit we may perceive, in Buchanan's reflections, on the queen's return, in 1561, to her own kingdom. "Besides the variety of her dangers," said this prototype of Laing, "the excellence of her beauty, the vigour of her adult age, and the elegance of her wit, did much commend her. But, these accomplishments, her courtly education, had either much encreased, or at least made them more acceptable, by a false disguise of virtue, not sincere, but shaded only to a similitude thereof, which made the goodness of her nature, by her desire to please, less agreeable." Such, then, were the learned detractions of Buchanan's ingratitude. As an historian, we thus see him attempting to praise, that he may condemn; and to condemn, that he may not praise: to insinuate what he cannot prove; and to assume what he must insinuate.

When the widowed queen arrived within her own kingdom, corrupted, as it had been by violences, and reformed into vice, her calumniators, as we have just seen, could, only, *hesitate dislike*, or *damn, by faint praise*, without proofs of any charge, or any charge to prove. If misrepresentations, indeed, were proofs, the calumniators of Mary Steuart would leave none of their imputations unproved. Knox, in giving an account of the queen's arrival, says, "the very face of the heavens, at the time, did manifestly speak what comfort was brought into this country with her, to wit, sorrow, darkness, dolor, and all impiety[g]." Yes; there were *sorrow*,

---

[g] *Hist.* ed. 1732, p. 283. Randolph, the notorious agent of Elizabeth, at Edinburgh, writing to Sir W. Cecil, on some purposes, which he had had with Knox, and the other ministers, says, "To be plain with you, they are as wilful, as unlearned, which I lament:" Writing again to Cecil, on the 12th of February, Randolph says, "Our preacher is more vehement, than discreet, and learned:" and, he adds, "that Knox, on Sunday last gave *the Cross*, and *the Candle*, such a wipe, that those, as wise, and learned, as himself, wished him to have held his peace." And to the same purpose, see Keith, 197.

and *dolor*, among greater men than Knox, that their sovereign was not intercepted, on her voyage to Scotland, and carried to the castles of Elizabeth, her very good cousin, who, by the advice of the Murrays, and Maitlands, sent out ships to bring her sister queen into port. The darkness, and dolor, and impiety of Knox existed, chiefly, in his own mind, which supposed every thing to be darksome, and dolorous, that did not comport with his gloomy notions of religious worship. Very different, from John Knox was our Saviour, when upon earth; he was all meekness, and charity; he was all friendship to established society, and all deference to the higher powers: Far otherwise were Knox and his disciples! The queen, and her parliament, passed an act; renouncing all foreign jurisdictions; and allowing every one to worship God, in his own form. The nobles, and the gentry, were satisfied with this act of *reformation*, and of *toleration*. The vulgar, however, from Knox, the apostle, to Semple, the poet, were far from pleased: in this act of Parliament [h], there was, too much of policy, as well as Christianity, for such heated zealots. The Christian religion, rightly understood, said MORE, is the deepest, and choicest piece of philosophy, that exists:—But, of religious calumny enough!

Yet, there is another sort of calumniation, which seems to evince, that some authors cannot write on the most indifferent subjects, such as *coinage*, without calumniating the Scotish queen [i]. The first coin, in the series of Mary, is supposed to be very mysterious [k]. But, of her mother, the Scotish queen might have said, in Spenser's language,

> "She, in the first flower of my freshest age,
> Betrothed me unto the only heir
> Of a mighty king, most rich, and sage."

---

[h] Of April 1567. [i] Nicholson's *Hist. Lib.* 324; Cardonel's *Numismata*.

[k] Cardonel, pl. vii. No. 1. which is a coin, in 1553, with the cypher, F. M. entwined.

Is there, then, any thing *mysterious*, that such a coin, on such an affiance, should have been struck, in France, with the initials of Francis, and Mary, so entwined? But, the same numismatist has discovered another coin of Mary, which she is supposed to have coined, in her own name, during 1566, while Darnley was yet alive[l]. There was, also, another coin of this ill-fated pair, which was called *Mary's rial*, in the record, and the *Cruikston dollar*, in tradition[m]. Upon this idle tradition was founded the absurd tale, "that Mary first resigned herself to the arms of Darnley, under the large yew-tree, which still exists, at Cruikston." When Pennant came to advert to this popular absurdity, he adverted more classically, indeed, to Pope's well-known allusion to—"Clifton's proud alcove:" but, the ingenious tourist did still better, by retracting, in a subsequent volume, what he had said, without examination, in a former one[n]. The whole history of the queen, and Darnley, demonstrates, that neither of

[l] Cardonel, pl. viii. No 22. Darnley was assassinated, on the 10th of February 1566-7; and, the year was not supposed to end till the 25th of March: so that, this coin must have been struck, between the 10th of February, and the 25th of March; not, as is, simply, said, while Darnley lived, but, after his death.

[m] Nicholson's *Hist. Lib.* 223; Keith, 321-7; and the Record of the Privy Council, dated the 22d of December 1555, in Cardonel's *Appendix*, No. 1, which he copied, from Keith's *Appendix*, 118; and which directs, that the principal device on that *rial* should be *a palm tree crowned*, with the motto, *Dat gloria vires*; in order to do honour to Darnley: some call the tree a yew-tree, says bishop Nicholson, in 1702, who adds a report, that such a tree grew, in the garden of the Earl of Lennox, at Cruikston Castle, *Hist. Lib.* 323. We may thus perceive, how early *the tradition* was substituted, for *the record*. And Pennant, in his Tour, with his usual attention to popular tales, adopts this folly of calling the device a *yew* tree, in opposition to the *palm tree* of the record. Neither of those writers seems to have observed, with heraldic accuracy, "how common it was, for persons of quality, especially, for women, to place two branches of a palm-tree, as supporters of their coat armorial; as this ornament was the symbol of *conjugal love*, which the ancients represented, by the male, and female palm-tree." Nisbet's *Heraldry*, vol. i. part iv. p. 137.

[n] *Voyage to the Hebrides*, iii. 43; *Tour to Scotland*, 1772, p. 25.

them were ever, at Cruikston Castle, which, at the epoch of their marriage, was a complete ruin[o].

The queen first saw Darnley, at Weemys-castle, in Fife, on the 16th of February 1564-5: and, they were married, in the chapel of Holy-rood-house, on the 29th of July 1565, at six o'clock, in the morning; when she went to masse; and he, to his amusements: on the following day, Darnley was proclaimed King of Scots[p]. But, we hear nothing of any jaunt to Cruikston. From the moment of Mary's spousals, till the expulsion of Murray, in October, the king and queen had to sustain a constant struggle with Elizabeth's envy, and Murray's malignity, which left "the fond pair" little leisure for dalliance, under the yew-tree of Cruikston: this yew-tree, which was thus consecrated to fame, by the loves, and the graces, ceased to bud, on the last day, of the last century; when the House of Steuart was verging fast to its fall.

The royal marriage; the rebellious opposition of the bastard Murray, which originated in his wish to gratify Elizabeth's hate; with his expulsion, that followed his resistance; the measures, which were entered into, for obtaining his restoration, singular as they were; all contributed to the queen's calumniation, as well as anxiety. It was, only, in such an age, among such a people, such nobles, and such statesmen, who had ever the pen of forgery, in their guilty hands, that the deepest plotter could have conceived the project of assassinating the private secretary of the sovereign, in her presence, and of converting the king himself into the chief as-

---

[o] Darnley's father, the Earl of Lennox, never resided at an uninhabitable house: His usual residence, after his restoration, was at his manor of Stabil-grene, near Glasgow, though he resided sometimes, at Houseton, in Renfrewshire.

[p] Cecil, in his *Diary*, has settled the following dates, in this manner: on the 16th of February 1564-5, Darnley came to the queen of Scots, at Weemys-castle; 7th of April, Lord Darnley lay sick of the measles, at Stirling; 15th April, it was, plainly, discovered, that the queen will have lord Darnley: 18th June, the Earl of Lennox, and Lord Darnley, were recalled, from Scotland: 29th July, Lord Darnley was married to the queen of Scots; and on the 30th was proclaimed king.

sassin: yet, such was the assassination of Rizzio, in the queen's closet, for obtaining Murray's restoration, by creating many mischiefs. "The deeds themselves, though mute, spoke loud the doer." The written assignments of the various parts to the several actors are the records of their atrocious guilt. The plotters not only consisted of Lennox, the king's father, but of the leading characters in the state, with their dependents. Yet, every plot must have its pretence, and every assassin his apology. Rizzio was the Pope's partisan, and the queen's paramour, said the plotters. When the Earl of Bedford, and the envoy, Randolph, communicated the whole detail of this plot to Elizabeth, and Cecil, they did not forget to state what was, no doubt, very agreeable to Elizabeth's taste, *Mary's guilty intercourse with the Italian Rizzio*[q]. But, every paroquet can readily cry cuckold, at a venture: and every woman is obnoxious to a similar imputation, when royalty is gratified by scandal. Bedford, and Randolph, when they calumniated the Scotish queen, were quite aware, that they would not be rigorously cross-questioned about their authority. See how a plain tale shall put them down. When the king was before the Privy Council, to explain his purpose of quitting Scotland, the queen urged him, pressingly, to declare to the Lords, if she had ever offended him, in any thing: she pressed him not to dissemble the cause of his displeasure, and not to spare her in the least. After some hesitation, he declared freely, that the queen had never given him any occasion, for discontent[r]. Here, then, was an endeavour, by the queen, by her council, by the French

[q] Their curious, but criminal letters of the 6th of March 1565 to Cecil, and Elizabeth, remain, in the Paper Office. The calumnious Knox says in his first edition, p. 37; the queen regent's daughter followed her example, by *delivering to Davie the great seal:* but, the fact is, that Huntley had the custody of *the great seal,* from the queen's arrival, till his fall, at Corrachie, on the 28th of October 1562; and it was soon given to the Earl of Morton, who held it, at the epoch of Rizzio's assassination. The assertion of Knox, then, is one of his usual lies, for the benefit of *the religion.*

[r] See the whole proceeding of the Privy Council, on the 30th September 1565, in *Keith,* 349.

ambassador, to induce the king, to open his griefs, and to declare his injuries: yét, when he was pressed not to spare her, he declared, freely, that the queen had never injured him: we may remember, also, that Knox, *who did not spare her*, only said what, indeed, was untrue, that the queen had given the great seal to Davie, which was in Morton's gripe[s].

It was from the epoch of Michaelmas 1566, when Darnley came before the Privy Council, that Murray's faction doomed him to *the bowstring;* as they could no longer bear his ill humour, his ill conduct, his ill usage; and they all owed him "deep fostered hate," for his denying any concernment, in Rizzio's murder. It was, from the same period, that the same faction overspread the queen with calumny; knowing that some of it would stick; that some of it would stain; as she was now included, in the same reprobation. A faction, which could commit such an assassination, in such a place, were capable of committing any baseness, or any wickedness. They now assigned to the queen earl Bothwell, as a new paramour, in their scandalous chronicles. They designed him, as the chief murderer of Darnley; they assigned to him, for his second wife, the widowed queen, for his reward. But, Bothwell was to be made the scape-goat; and the queen was to be involved in his guilty fall. When the murder should be committed; when the assassin should be declared innocent of the act; when he should be married to the queen, by their procurement, and his coercion: then, was this horrible faction to turn short round upon both; when he was to be driven, from the kingdom; and she,

[s] When Sir William Cecil new-modelled Morton, and Ruthven's declaration, regarding Rizzio's slaughter, he asserted, that the deed was done, *for the benefit of the religion;* not, for defiling the queen's bed. This last had been false; the former was fictitious: the true cause of that barbarous deed was to create a violent tumult, and disturbance, in the court, at the eve of the meeting of Parliament, during which Murray might easily return. And a belief was entertained, by the principal conspirators, that the pregnant queen might be taken in premature labour, and die, amidst the bloody outrages of ruffians, in her palace. Such were the motives of that conspiracy, and of its effects.

from her throne. The facts of the story evince, that such was the plot, which was to place the bastard Murray, in the viceregal chair, since the throne was filled, by the puling infant, who was all unconscious of his being made, by matchless villany, the instrument of his mother's wrongs.

Every event, in the life, and reign, of the Scotish queen, was now made the groundwork of some calumnious report. The clergy propagated such calumnies, and Buchanan recorded them. Some events, in the southern borders, were converted into the falsest imputations on the dignified object of their odious hate. Upon such motives, Buchanan wrote what Robertson re-echoed, when news was brought the queen, at Borthwick, of Bothwell being wounded, in Liddesdale, she flew away, like a mad woman, by great journeys, in the sharp time of winter, first to Melros, then to Jedburgh, and from thence to Hermitage-castle: now, let us attend to the facts, in exposition of that falshood. Some weeks before, Justice Ayres having been resolved on, by the queen's government, to be holden at Jedburgh, Bothwell, the queen's lieutenant, on the southern borders, was sent forward to make the necessary preparations, for those law proceedings. On entering Hermitage-castle, a scuffle ensued with John Elliot of Park, who had some right to possess it, in which Bothwell was wounded, in the hand: this event happened, on the 8th of October. On the same day, the queen, with her court, set out, from Edinburgh, to Jedburgh[t]; and arrived there, on the morrow. On the 10th of October, the queen, and her council, sat at Jedburgh; as we know, from the Privy Council Register. On the 16th of October,

[t] "On the 8th of October," says Birrel, in his Diary, "the queen went out of Edinburgh to Jedburgh; *to hold a justice ayre.* On the same day," continues he, "James, Earl Bothwell was deadly wounded, in the hand, by John Elliot, whose head was sent to Edinburgh, thereafter." *Diary*, 5-6. The Elliots were in possession of this castle, from the time, that Bothwell was obliged, to absent himself, in France, and when he now attempted to re-enter, they resisted, and wounded the lieutenant, in the hand.

eight days after the wound had been given to Bothwell, the queen rode to Hermitage-castle; as we may learn, from the Privy Seal Record: and, the queen returned to Jedburgh on the same day; having rode out, and home, about forty statute miles: but, the queen was in the habit of such exercise; she was in the vigour of youth; and she had from nature a great spring of personal enterprise, in her excellent constitution. The facts, and dates, and records, demonstrate the falshood of Buchanan, and the folly of his copyist. She did not flee on the wings of love, in the depth of winter, as Buchanan states poetically: she did not *instantly flee thither*, with an impatience, which marked the anxiety of a lover, according to the mitigated language of Robertson: she remained a week, at Jedburgh, after notice of the event, doing the public business; and she then paid a hasty visit to her lieutenant, with the speed, which the great generally use, when their whole time is much occupied. On the morrow, she directed, that *a mass of papers* should be sent to Bothwell; and that certain provisions of victual might be supplied to Hermitage-castle, which was the queen's house, and not the lieutenant's [u]. The historiographer royal, in the true spirit of prejudice, leaves it to the judgement of the reader what degree of credit is due to Knox, and Buchanan, who ascribe the queen's motive to love: the facts, which are stated in the record, evince that the queen's motive was *political*, and not *amatory*: and, we must always remember, that they were both married, and that Bothwell was then engaged, as one of the conspirators against the life of Darnley. Under such circumstances, calumny

[u] For those two new facts, we are indebted to the Treasurer's books, who charges the queen, for the express messenger, who was sent with a *mass of papers*, love-letters, no doubt, and with money, for the said victual, as love, without something to live on, soon evaporates, in mutual revilement. It appears not, says Robertson, ridiculously, that the queen was attended thither, by any considerable train: but, what train could there be, when the purpose was to return, on the same day, to Jedburgh? yet, is there evidence, in the records, that the queen granted a charter, at Hermitage-castle, on the said 16th of October 1566, Buchanan's depth of winter, which will be ever consecrated to love, in the annals of gallantry.

may find motives of love, while charity must turn away, from the impure suggestions of Buchanan.

But, as Bothwell was never, in any danger, from the wound, in his hand, he appeared, at Jedburgh, in the Privy Council, on the 25th of October: and, on the 28th Darnley came, from Glasgow, to visit the convalescent queen; with whom he only remained a single day; being unable to exist, with Murray, Maitland, and the queen's other ministers, for any endurance[v].

Meantime, the nobles, and other officers of state, who attended the Ayre, at Jedburgh, held a convention, in which it was resolved, that they should remain together, in case of the demise of the crown, for preserving the government: while the queen's son was, scarcely, five months old; while the heir presumptive of the sceptre, was living in banishment: while Darnley, and his father, Lennox, had not a single friend, in the nation: and, in such a state of circumstances, it is apparent, that Murray, who had no competitor, while he had no right, must necessarily have been appointed viceroy, with more than regal power.

The court of Ayre sat, at Jedburgh, from the 9th of October, till the 8th of November, 1566. After lingering a day, or two more, on *Tweedside*, which is so celebrated in song, the queen set out, on a progress, along that charming river, to the neighbourhood of Berwick, followed, by the country, amounting to 600 horsemen, as we know, from secretary Maitland's letter, and accompanied by Bothwell, as high sheriff of the several shires, through which the queen was to return, from performing those official duties. And, yet, if we might believe Buchanan, after such detections of his falshood, we ought to suppose, that the queen, and Bothwell, took a sociable jaunt together, unaccompanied, by any of her court, or of the country, along the Tweed to Berwick;

[v] The king, says Robertson, came from Stirling [Glasgow] on the 5th of November: but, he met with such a cold reception, as did not encourage him to make any long stay. [*Hist.* i, 390.] Such, then, are the mistakes, and misrepresentations of Robertson!

thence along the Forth to Dunbar[w]; and thence to Craigmillar-castle, where they are made to arrive together, on the 20th of November. Robertson seems to have been ashamed of such barefaced falshood of making the queen, and Bothwell, travel alone, from Kelso, to Craigmillar, while they were attended by the court, and by the country. But, neither Buchanan, nor Robertson, seems to have been aware, that Bothwell, as early as the 1st of October, certainly, before he set out, for Liddesdale, had been gained, by Murray, to the concerted plan, which had decided the fate of Darnley, and the misfortunes of the queen: so that it was not only untrue, as a point of history, but even ridiculous in the formation of a farce, to make the queen, who had a husband, fall in love with a conspirator, who was also married; and who, instead of returning her approaches of affection, had a very different part assigned him, which, if he acted well, was to be rewarded, by the queen's marriage, whether she were willing, or not.

The falsifier, after thus making both to return alone to Craigmillar, goes a step further, in his course of falsification: he makes the queen, and Bothwell "to reason upon the divorce, betwixt the queen, and king;" to make them reason upon a divorce, which the falsifier knew the queen had rejected, when actually made to her, by her ministers: this was foolish in Buchanan, as a dramatist. It is, however, an historical fact, which is as certain, as it is important, that there was, then, and there, a formal offer of a divorce to the queen, by Murray, and Maitland, if she would give her consent; but, it is equally true, and much more important, that the queen firmly resisted this proposal, from Murray, and Maitland, though they were supported, by Bothwell, which, as it

[w] The Privy Council Register shows, that there were several Privy Councils, held, at Dunbar, wherein various points of public business were done; and whence the queen wrote to Elizabeth. Bothwell, no doubt, made a considerable figure, on this journey, as high sheriff; but, he was allowed some additional consideration; being now one of Murray's conspiracy: with such appearances the vulgar was deluded; and the calumniators of Mary, were thus enabled to delude more.

was insidious, would have certainly ended, in the death of Darnley, and her own ruin. The historical fact evinces the deliberate falshood of Buchanan[x]. But, what shall we say to the complete silence of Robertson, with regard to those proceedings, at Craigmillar, which are some of the most interesting, in the Scotish history: he was too discerning not to see, that the facts, which occurred there, of a proposed divorce, between the queen, and king; of her firm refusal of such a divorce; as it might stain her honour, and injure her issue; had been quite inconsistent with the historian's theory, of making the queen fall in love with Bothwell, who was engaged in a conspiracy, that had for its real end both the king, and queen's ruin. His theory is obviously, as absurd, as his passing in silence such an important transaction, was, plainly, disingenuous[y].

Buchanan took a yet higher flight into the regions of calumny, where Robertson did not disdain to follow him. The calumniator sent Darnley; from Stirling to Glasgow, at the end of December, after those important proceedings, at Craigmillar; and caused him to be poisoned, by the same wife, who refused to be divorced from him; and who now would not allow a physician to attend upon her dying spouse. Remark how a plain story shall convict Buchanan of falshood, and Robertson of ignorance: The earl of Bedford, who represented Elizabeth, at the baptism of Mary's son, on his return home, left Edinburgh, on the 6th of January 1566-7, and wrote to secretary Cecil, from Berwick, on the 9th, that Darnley lay sick of *the small pox*, at Glasgow; and that *the queen had sent her own physician to attend him*[z]. Buchanan

[x] See Goodal's *Appendix*, vol. ii. No. cxxvii, and No. cxxviii. The very falshood of Buchanan supports the fact, as stated in the two documents, just quoted. And see, also, the same *Appendix*, No. cxxxix.

[y] The word *Craigmillar* is not in the copious Index to Robertson's *History*, the 11th edition.

[z] Bedford's letter to Cecil is in the Paper Office. Drury, the marshal of Berwick, soon after wrote to Cecil, "that the *small pox* beginneth to spread, from Glasgow; and that he heard the queen intended to bring Darnley to Edinburgh, as

knew, that Darnley had *the small pox*, but, thought fit to say, that he was poisoned, for the odious purpose of calumniating the queen: The villain knew, that the queen had sent her own physician, to attend upon her husband; but, chose to say, she would not allow any physicians to attend upon her husband. Let us now hear Robertson: "Immediately upon the king's leaving Stirling, *and before he could reach Glasgow*, he was seized with a dangerous distemper.—It is impossible, amidst the contradictions of *historians*, to decide, with certainty, concerning its nature, or its cause. Mary's neglect of the king, on this occasion, was equal to that, with which he had treated her, during her illness, at Jedburgh. She no longer felt that warmth of conjugal affection, which prompts to sympathy, and delights in all those tender offices, which sooth, and alleviate sickness, and pain. At this juncture, she did not even put on the appearance of this passion. Notwithstanding the king's danger, she amused herself with excursions to different parts of the country, and suffered near a month to elapse before she visited him at Glasgow[a]." Can ignorance, and calumny, go beyond such misrepresentations! The preliminary assertion, that Darnley was seized with a dangerous disorder, *before he could reach Glasgow*, is quite inconsistent with *the fact*: the *small pox* raged in Glasgow; but, existed not, in Stirling. His subsequent reflections are altogether irreconcileable to his sympathies, as a husband, and a father: the queen had an infant, the hope of the nation, and her own, to take care of: and any personal intercourse with Darnley might have proved fatal to their son: but, such obvious reflections did not enter into the prejudiced mind of the historian, who wished to please, rather than instruct.

---

soon as he should be able to stand the cold." This dispatch is, also, in the Paper Office. Birrel, who lived about the time, says, in his *Diary*, on the 13th of January 1566-7, "King Henry was then lying sick, in Glasgow, of the *small pox*; but, *some said, he had gotten poison.*" This, then, is the historical fact: Darnley had *the small pox*; but, the calumniators of Scotland said, *he had gotten poison.* Cousin, and Blackwood, two contemporary writers, stated the fact: but, they were disregarded.

[a] *Hist.* i, 405-6.

It may now be proper, perhaps, to enquire into some other instances of the ignorance, as well as the disingenuity of the historian, which are injurious to the queen.

About this time [when she was about to retire into Edinburgh-castle, for her *accouchement*] a new favourite, says the historian, grew into great credit with the queen; and soon gained an ascendant over her heart, which encouraged his enterprizing genius, to form designs, that proved fatal to himself, and the occasion of all Mary's subsequent misfortunes[b]. Robertson, as a married man, ought to have known, that the time, which he has chosen, for the commencement of this affair of affection, when the queen was about to be *confined*, was the least congenial to the intrigues of love. The assertion of the historian, which would require the strongest proof, has none; and nothing can be more inconsistent with the whole facts in the State papers. During the queen's residence in the Castle, there were no other lodgers there, but Darnley, Murray, and Argyle: Huntley, the chancellor, and Bothwell, the admiral, applied for leave, to lodge within the same Castle; but, they were flatly refused[c]: and, by whose influence? The answer must be, by Murray's influence, who domineered there; and had advised the queen's residence in the fortlet, in order, that he might be in possession of it, in case of the expected demise of the Crown. Bothwell was, soon after, sent to the Borders; on the pretence, of seeing that Morton did not enter the kingdom, on so critical an occasion: but, by whose advice was he sent out of the way? The answer must be, by Murray's: It is apparent, then, that it was Murray, who had the influence over the queen, and not

[b] Robertson's *History*, i, 380-5.

[c] The above important fact was stated, by Randolph to Cecil, from Berwick. Lennox, and Darnley beheld, with indifference, the expected event: not so, Cecil and Randolph, Murray and Argyle, who all knew, that lying-in women, are subject to many accidents: and Randolph was ordered, to remain, at Berwick; to wait the event, in aid of the design of Murray, to seize the government, in case of a demise of the Crown: and Murray had an overpowering faction, and Argyle a great force, ready to support such a project, as events might arise.

Bothwell. Mary, by bringing a perfect child, without any accident, disappointed Elizabeth's envy, and Cecil's artifices, Murray's hopes, and Argyle's subserviency.

When Mary's *month* was expired, on the 19th of July, she did not require much persuasion of her friends, or physicians, to make a jaunt to Alloa-house, along the Forth; as she had no wheel-carriage[d]: thither she went, accompanied, by the earl of Mar, the owner of the house, by Bothwell, the lord high admiral, and by Murray, the queen's prime confident, who like a man of the world, and a minister, seldom left her: not so, Darnley, her husband, who ought to have "grappled her to his bosom, with hooks of steel;" he would not go in the same ship with the queen, and her minister, and attendants: he would go to Alloa, by land: but, who induced him, not to accompany the queen, on this excursion,

---

[d] There is a letter, in the Paper Office, from Randolph to Cecil; saying that, the queen had *walked out*, a mile, beyond the Castle, during her confinement there. This fact evinces, that she had no wheeled carriage. The first wheeled carriage, which was seen, in Scotland was a *chariot*, which the lady Margaret brought with her, when she came to marry James IV. This chariot remained, at Methven-castle. After she died, about the spring-time of 1540-1, the governor had it brought to Edinburgh, and repaired in March 1542-3. The following charges, in the Treasurer's books, apply, curiously, to this enquiry:

March 12th 1542-3, Paid to John Par, the keeper of the mulettis, for four girthis, and twa iron pynnis furnishet by him to *the chariot*, brought furth of Methvin - - - - - - - -	£0 4 0
Item delivered to William Fraser, sadler, to mend the said *litter* with, an elne of black velvet, price 56; ane elne strype velvet price 14; and twa elnes canvas, price 3/4 - - - - - - -	3 13 4
Item deliverit thereto three elnes black frenzies of silk - - -	0 13 0
Item, given to Thomas Lindsey, for mending of the same, and for three bandes to the futestule - - - - - - -	0 12 0
April 1549 To Fraser, the sadler, for an *chariot* of my lord governors, to be mendit, and coveret with ledder, and given him to buy ledder -	5 12 6
Item to him, to furnish graith to the said chariot - - - -	1 2 6

This *chariot*, or *litter*, was, probably, made use of, to bring Darnley, from Glasgow, after he had had the small pox.

which had been recommended, for her health? His own frivolous folly, which forbade him to look Murray, in the face: and, when he arrived, at Alloa, the French ambassador, saith Robertson, absurdly, did prevail on the king and queen to pass two nights together, as if to do so, required the influence of a French ambassador. Whatever there may be, in this unnatural conduct of Darnley, certain it is, that Murray never lost sight of his own interest: he here procured the queen's pardon, for some of his faction, who had been engaged, in Rizzio's assassination: he particularly, induced the queen, to see secretary Maitland, who, as the contriver of the plot was obliged to abscond, for a time: and, Murray carried this point, for Maitland, after a personal altercation, with Bothwell, in the queen's presence, when Bothwell was obliged to give way to the superior influence of Murray, in the queen's councils, and conduct: from all those facts, we may clearly perceive how little cause Robertson had, for saying, "all this while Bothwell was the queen's prime confident[e]."

Robertson will, perhaps, be more fortunate, in his next calumny of this injured queen. "A few days after the baptism of the prince," says the historian, "Morton and all the other conspirators against Rizzio, [and the queen] obtained their pardon, and leave to return into Scotland:" [except those, who were not allowed to return,] Mary, who had hitherto continued inexorable to every entreaty, in their behalf, yielded at last *to the solicitations of Bothwell*[f]. We have now seen, to what influence it was, that

---

[e] *Hist.* i, 385. It was, in respect to that jaunt to Alloa-house, by a little voyage along the Forth, that Buchanan, with his peculiar audacity of falshood, said, that the queen had gone to Alloa, with the pirates; that is, Bothwell, the lord high admiral of Scotland, provided the vessel, and seamen, which were to carry the queen to Alloa; and, the *lord high admiral, and the sailors,* are *Buchanan's pirates:* we thus perceive, how a writer of genius may debase his falshood, and calumny, into nonsense, and absurdity.

[f] *Ib.* 402: But, there is another instructive letter, from Bedford to Cecil, dated the 30th of December 1566, from Halyards, in Fife, to which he had been invited,

the Scotish queen granted Morton's pardon. If Robertson's eyes had not been clouded by prejudice, he might have perceived queen Elizabeth's claim to the sole honour of obtaining Morton's pardon, whom she had so long protected[g].

One of the great artifices of Robertson, throughout a dozen pages of calumnious declamation, is, to make the queen, personally, answerable, for the administration of Murray's faction: but, she was completely fettered, by their overpowering influence. And, it was one of the disgusts, or rather motives of Darnley, that she would not drive, from her councils, those nobles, and officers, who had been concerned in the assassination of Rizzio; though Darnley, and his father, were two of the principal conspirators. But, puerile as Darnley was, he did not feel the influence of the spell, which bound her in a magical circle, whence she could not escape: Murray, and his faction, and his officers of state, completely overpowered her efforts, when she could not move a step, without perceiving, that Elizabeth, and Cecil, thwarted her endeavours, while they supported Murray's efforts. But, that part of Robertson's history, concerning the influence of Bothwell over the queen's spirit, is written upon assumptions, so fallacious, and upon autho-

---

by Murray; giving the English secretary notice *of Morton's pardon;* and informing Cecil; "that he, [Bedford] had exerted himself, with Murray, Athole, and other lords, and with earl Bothwell; and if the whole had not concurred, the pardon could not have been obtained. [This important letter is in the Paper Office.] And why did Bothwell *thus concur,* in obtaining Morton's pardon, since they had always opposed each other? The answer must be, that Bothwell was now acting, in a concert of conspirators, for the death of Darnley, and expected the aid of Morton, in this nefarious purpose; nor, was Bothwell disappointed.

[g] In Elizabeth's letter to her agent Throckmorton of the 27 July 1567: "The Earl of Morton," says she, "had refuge in our realm, when we might have delivered him to death; and he himself was restored to his pardon, for gratyfying us, upon instance made, by our order, at the Earl of Bedford's being with the queen." [*Keith,* 429.] This shows, that Bedford acted, by her order, and Cecil's wish, for Morton's pardon: Was this pardon of Morton obtained, then, by Bothwell's influence? The answer must be, that it was obtained, by a general concert, with Elizabeth at the head of it: Robertson's assertion, then, was unfounded.

rities, so absurd, that much of his history, to be rectified, ought to be new-written [h].

In this strain of idle writing, from theory, rather than from proofs, Robertson goes on to talk of the queen's employing all her art to regain Darnley's confidence; and then to induce him to remove to Edinburgh [i]. But, the fact of her being reconciled to Darnley, and he to the queen, before she went to Glasgow, disproves the historian's conceipt: and, the falshood of this assertion may be inferred, from the information given, by Drury to Cecil, on the 23d of January 1566-7, of the queen's purpose to bring

---

[h] What he, and Laing, say, untruely, of the vast grants, and various gratuities, of the queen to Bothwell, whoever wishes to see, distinctly, what he enjoyed, from his fathers, and what he acquired himself, must consider the *Appendix* to the Memoirs of Bothwell, No. 2.

[i] *Hist.* i, 405. Now; it is a fact, which cannot be doubted, that *before* the queen had resolved to visit the king, at Glasgow, with the kindly purpose of bringing him to Edinburgh, as soon as he was able to travel, according to the opinion of Physicians, they were reconciled. For the above fact, see the *Appendix* to the Memoirs of Darnley, No. vii. (2) If it be *true*, that the king, and queen, were reconciled to each other, at that epoch, the two letters, which Robertson quotes very confidently, as written by the queen, from Glasgow, must, necessarily, be false. (3) If it be true, that during several months, before that epoch, Bothwell had been gained, by Murray's faction, to the conspiracy, for the death of Darnley; it must be false, that the queen wrote amatory letters to that conspirator, against her husband's life. (4) If it be true, that Bothwell, and secretary Maitland, another of the conspirators against Darnley's life, went together to Whittingham, where Morton then was, about three weeks before the assassination of Darnley; to concert, with Morton, the ways, and means, of taking the life of Darnley; then, must it be false, that the queen would write such abominable letters to such a conspirator. (5) If it be true, that Morton required of Bothwell, and Maitland, some writing, under the queen's hand, testifying that, she approved of her husband's murder; and Bothwell could not show Morton any such writing, under the queen's hand; then must the letters, which were quoted, by Robertson, be forgeries. (6) The records of Scotland evince, that the queen was, at Edinburgh, at the very time, that she is said to have written the said letters, from Glasgow. (7) If it be true, as hath been shown, that Robertson's theory of Bothwell's influence over the queen, was untrue; then is the historian's theory, that the queen wrote letters to Bothwell, from Glasgow, in January 1566-7, equally untrue.

Darnley to Edinburgh, as soon as he could bear the cold air: for, this proves, that the queen's purpose was avowed, and without artifice, or dissimulation. Without knowing that Darnley, undoubtedly, was taken with the *small pox*, on his entering Glasgow; without knowing, that the queen, as soon as she heard of his being so taken ill, had sent her own physician, to attend upon her husband, while she had an infant to care for; then did the historian write of the whole transaction, upon grounds, which were quite unfounded [k].

The place, which was prepared, for the king's reception, in Kirk-a-field, adds the historian, from its solitude, was extremely proper, for the commission of that crime, with a view to which, it seemed manifestly to have been chosen [l]. Robertson continues to write, we see, from previous prejudice, rather than from subsequent enquiry: he did not know, that Darnley had the *small pox*; the writer did not know, that the king had been, early, placed in the charge of the queen's physician; and that the house, and other preparations, for the king's reception, must have been made, under the physician's directions; and of course, that it was fitted up more as *an infirmary*, than a palace [m]. The historian, then, taking

---

[k] Not only Darnley, the physician, and Mary, but every old woman, in Glasgow, knew that the king had then, and there, *the small pox:* Now; the forger of those quoted letters makes the queen write thus to Bothwell: "He declared unto me his *seiknes*, and that he would *make no testament*, but only leave all things to me; and that I was *the cause of his malady;* because of the regret, that he had, that I was so strange unto him." [*Goodall*, ii, 5, 6.] He thus talked of his testament, when he was almost well; he talked of his sickness, as being of the mind, when it was of the body: and, the whole being inconsistent with *the fact* shows the letter to be a forgery.

[l] *Hist.* i, 411. Yes; yet, if the purpose had been, not to save, but to destroy Darnley, would not the *Doctor's pill*, at Glasgow, have obtained the end, much more easily, than the transactions, at Kirk-a-field? The residence of the king was plainly pointed out, by the physician, from a consideration, chiefly, of the queen's infant.

[m] From the evidence of Nelson, one of the king's servants, who was examined before the Privy Council of England, we know, that the house was fitted up, "with *vats for bathing*, and other necessaries of an infirmary." *Goodall*, ii, 244.

for granted what he ought to have proved, would involve the physician as well as the queen, in this guilty preparation. As the historian knew not, it seems, that secretary Maitland was one of the conspirators; that the secretary, and Bothwell, had, some days before, met Morton, to concert the murder; so was the historian ignorant, that the secretary, and Bothwell, would be as well informed, as to the preparations, for the king's reception, in Kirk-a-field, as the queen, and the physician; and would be equally active, in making their arrangements, for the fatal moment[n]. In this infirmary, was Darnley murdered; though the house, wherein he lay, was not blown up, as the historian says; but, the adjoining house was blown up, by gunpowder, for the obvious purpose of concealing the odious deed, "in the mystery of ill opinions." "The cruel circumstances of his murder, continues the historian, and the shameless remissness, in neglecting to avenge it; have made his name to be remembered, "with regret[o]." Yet, were there no cruel circumstances attending the murder; nor, was there any remissness, in neglecting to avenge it: Darnley was obviously strangled; and there were no appearances of violence on his body; and if the historian had only opened his eyes, he might have seen, in Nelson's evidence, which has been already quoted, that there was an examination at the Privy Council of Nelson himself, and of other persons, who were supposed to know the whole circumstances of the shocking scene[p]: and, two days after, as the historian adds, a proclamation was issued, in the queen's name; offer-

[n] The *fact*, which I will, immediately, prove, beyond a doubt, that Morton, Maitland, and Bothwell, were the real murderers of Darnley, blasts for ever, the fine-spun theories of Robertson.

[o] *Hist.* i, 412. The *remissness*, whatever it were, strikes at Murray, who remained, in the management of affairs, till the 9th of April, two months after the murder, and Maitland, who did the whole practical business of the state: that Bothwell was protected, by Murray's faction, is quite certain: and of course, not by the queen, who surely had no concern, in the conspiracy.

[p] See Nelson's evidence, in *Goodall*; and the queen's letter, which is quoted below, to the same point.

ing 2000*l.* to any one, who would discover the *deed doers*. The facts, then, do not warrant the historian's narrative, which talks of *cruel circumstances*, and of *shameful remissness*: But, as the design of Robertson seems to have been, to criminate, as well as calumniate the queen, he does not notice the artless, and simple, letter, which she wrote to her ambassador at Paris, on the day after the murder [q]. The historian, after raising suspicions, by artifice, goes on to tell, "that Bothwell, and the queen, were suspected of the murder [r]:" But, he forgets to notice what Keith had shown him, that Murray was, also, suspected, from much stronger circumstances, than the historian's calumnious reflections on the queen [s].

The next question of importance, certainly, is, who were the guilty actors of that atrocious murder? The answer must, clearly be, Those persons, who were convicted, by the laws of their country, were the guilty men; and the records are the best evidences of their convictions.

I will now proceed, to prove this important conclusion of the guilt of Maitland, and Bothwell, Morton and Murray; in a few distinct propositions.

I. Michaelmas 1566 is the epoch of the conspiracy of nobles, which ended, in the assassination of Darnley. It was then, that the king came to Edinburgh, with his project of emigration, in his

---

[q] See it in Keith's *Preface*, viii.

[r] *Hist.* i, 412: And, on the 21st of March 1566-7, Cecil wrote to the English ambassador, at Paris, for the information of all Europe, "the common fame, in Scotland, continueth upon the Earl of Bothwell, to be the principal murderer of the king; and the queen's name is not well spoken of." [*Cabala*, 126.] Here, commenced the calumniations of Cecil, which, by means of the English ambassador at Paris, had a wide range.

[s] *Keith*, 365, Wherein it is said, "the Earls of Bothwell, Morton, and Murray, are reported, to have been, in the knowledge of the murder." The guilt of the three nobles can easily be made out; but, as the queen was *innocent*, she cannot be proved *guilty*; however much the artifices of Cecil, formerly, and of Robertson, lately, may have effected, by raising prejudices, and spreading calumnies.

head; and could, scarcely, be persuaded, by the queen, his wife, to enter the palace; because Murray, Maitland, and other ministers, were within it. The queen, after trying, in vain, to induce Darnley to open himself to her, laid his father's letter, communicating his son's design of emigration, before the Privy Council. He was urged both by the queen, and the privy counsellors, to disclose the cause of his discontent: but, he withdrew; saying that he had no ground at all, for his design of leaving the kingdom [t]. Now, it was, that Murray, and Maitland, resolved, to free themselves, and the kingdom, from the wretched misconduct, and absurd irascibility of Darnley. With a view to this, Murray conciliated Bothwell, with whom he had been at variance, and drew him into his concert against Darnley, who hated Bothwell [u]. Yet, the plot was not fully agreed on, and its details adjusted, till the queen, at the end of November, positively refused to be divorced from her husband, in Craigmillar-castle, when she was now included, probably, in the scope of their conspiracy [x].

---

[t] The best account of that transaction is to be found, in Le Croc's letter, and in the letter, from the Privy Council, to the queen-mother of France, in *Keith*, 346-7; and in Robert Melvill's letter, at page 350-1.

[u] *Goodall*, ii. 322.

[x] Their original purpose was communicated to Morton, by Maitland, as well as every subsequent step, in the progress of the conspiracy: But, this he could not have done, without the knowledge, and suggestion of Murray, who had the chief direction; owing to his superiority, and faction. See *Goodall*, ii. 317-21. It was at the proposal of the divorce, by Maitland, in concurrence with Morton, that Bothwell showed himself, as a conspirator, with Murray. See, also, the declaration of the convention of prelates, and nobles, in September 1568. *Ib.* 352. It seems to be certain, from Ormiston's declaration, in Arnot's *Crim. Trials*, 383-8, that the noble conspirators gave Bothwell a writing, or bond, which was signed by them; engaging to save him harmless, for the part, he might act, in the murder of Darnley; and which was said to be drawn, by Sir James Balfour. In the Paper Office, Bund. P. 20, T. 29, it is recorded, "that upon the prevalence of the Earl of Lennox, and the threats of procuring, from Sir James Balfour, at Paris, *the deed of contract, for the murder of Darnley*, which was signed by Morton, who was at that time threatened with prosecution, for that deed; it was resolved, by Elizabeth, in April 1580, to send Robert Bowes to Scotland." Archibald Douglas, the relation, and agent of Morton,

II. It is apparent, then, that there was a conspiracy against Darnley; and that this conspiracy was strengthened, by writings, according to the practice of that immoral age. But, I will proceed a step further, in developing this abominable plot. Morton, and his associates were, as we have seen, pardoned, at Christmas 1566, at the epoch of James's baptism: Yet, on the 10th of the subsequent January, Morton still remained, in England, as Sir William Drury, the Marshal of Berwick, informed Secretary Cecil: But, Drury informed Cecil, by his letter of the 23d of January 1566-7, that Morton, having left England, had arrived at Whittingham, where he had been visited, by Earl Bothwell, and Secretary Maitland. From the dates of Drury's letters, we may, easily, collect, that this memorable visit to Whittingham, near the Lamermoor hills, took place, about the 20th of January. Archibald Douglas, in his said letter, speaks, also, of the abovementioned visit of Bothwell, and Maitland, to Morton, with whom he was then present. Morton himself, in his dying confession, acknowledges, that Bothwell, and Maitland did visit him, at Whittingham; on his return from England; and he goes on, to confess, that the object of their visit was, to concert with him the murder of Darnley[y]. Archibald Douglas, also, avows, in his letter, abovementioned, that such was the true object of that visit of Bothwell, and Maitland. It ought to be remembered, that Morton, and Bothwell, had always been enemies; but, as Bothwell had concurred, with more influential persons, than himself, in soliciting Morton's pardon, he conceived he might ask Morton's concur-

in his letter to the queen, dated, in April 1584, gives an account of the bond, and league, formed against Darnley, by Murray, Athole, Argyle, and Secretary Maitland, which league, Morton, and his associates, joined, before they obtained their pardons, for Rizzio's murder; and Douglas adds, that Darnley's murder was executed, at the command of such of the nobility, as had subscribed the bond, for that effect. Douglas's letter is in Robertson's *Hist.* ii. 530; and see *Goodall*, i. 282-3.

[y] See Morton's Confession, in Bannatyne's *Journal*; there is a copy of this confession, in the British Museum; but, it is somewhat interpolated, by a modern hand.

rence, in the conspiracy, for the death of Darnley; as he had been apprized of the plot, by Maitland, at the desire of Murray. When Morton, and Maitland, afterwards fell out, they charged one another, like other rogues, with their mutual participation, in the death of Darnley; as we know, from their letters, in Bannatyne's *Journal.* Now; here is satisfactory evidence of a conspiracy of nobles, for the king's murder: For, the meeting of three persons, to concert the commission of a crime, is the legal definition of a conspiracy.

III. But, the progress of the plot, and the nature of the evidence, enable us, to advance another step, in tracing the guilt of *those three conspirators* to conviction, and punishment, the true consummation of such a plot. The parliament of December 1567 attainted Earl Bothwell, for the murder and parricide, by him done, and committed, on the person of Henry, the late king[z]: and he had been already expelled, and died a wretched fugitive, in Denmark. Maitland, the contriver of the conspiracy, and the most guilty, was attainted, by the parliament of 1571, of the same treason[a]; and died, by poison, in 1573, from whatever hand[b]. Morton, the third conspirator, was convicted, in 1581, by a jury

---

[z] Sir Lewis Steuart's MS. collections; *Acta Parl.* iii. 5—10.

[a] Sir Lewis Steuart has gathered, from the Record, into his MS. collections, under the year 1571, the conviction of William Maitland, the younger, "for airt and part of the treason, conspiracy, and consultation, in the treason of the king's murder." *Acta Parl.* iii. 58-9: Bannatyne's *Journal,* 154; Spotiswoode's *Hist.* 253. In November 1579, an Act of Parliament was made; rendering the children both lawful, and natural, of Sir William Maitland, sometime younger of Lethington, and several others, who had been convicted of the murder of the king's father, incapable of enjoying, or claiming, any lands, or possessions, in Scotland. *Acta Parl.* iii. 137.

[b] Spotiswoode's *Hist.* 271-2: Kyllygrew wrote to Cecil, from Edinburgh, on the 12th of June 1573, "Nothing has occurred, here, of late, but Lethington's death, not without suspicion of poison." This celebrated statesman lay long unburied, notwithstanding the solicitation of his friends. There remains a moving letter, from Maitland's disconsolate widow, to Cecil; praying for leave to bury her husband, and that she might enjoy the estates, that had been settled on her long before. To this state of degradation was Scotland reduced, by Murray, and his faction!

of his country, for the same treason; was, immediately beheaded, on the block of shame[c], lay, for some time, under a beggarly cloak[d]; and, his conviction was confirmed, in November 1581, by parliament[e]. We have now seen, that the three conspirators, who met, at Whittingham, who were Murray's agents, and acted for his behoof, were all attainted, by parliament, for the king's murder. Who, then, can now doubt, whether the queen's husband, was murdered, by a conspiracy of nobles? since the fact is certain, from the evidence of record. Was the queen one of the conspirators? No: she was disgraced, imprisoned, and dethroned, by the same conspirators, who married her to Bothwell, for the very purpose, of disgracing, and dethroning her. Was Murray also guilty of this shocking crime? Yes: he was, at the time, all-powerful, in Scotland; and such a conspiracy could not have existed; by such men, without his assent. We have seen him, at Michaelmas 1566, gaining Bothwell to his concert, who was, merely, the instrument of the conspiracy: We have seen Murray, in Craigmillar-castle, in November following, assenting to the proposal of divorcing the queen from Darnley, with a view to ulterior measures against the king. His subsequent mystery, and previous measures, evince his participation, in the conspiracy: His confirming the queen's dethronement, and accepting the regency, are demonstrations of his guilt: He thus enjoyed all the benefits of the conspiracy, when he was placed in the vice-regal chair: His dragging his sister, before Elizabeth, and charging her with the murder of her husband, knowing that the accusers were the assassins, only, evinces his villany, and his wickedness. Whatever the Scotish historians may relate, let us, with Shakespeare,

> "Trust not those cunning waters of his eyes;
> For villany is not, without such a rheum:
> And he long traded in it, makes it seem
> Like rivers of remorse, and innocence."

---

[c] Arnot's *Crim. Trials*; Sir Lewis Steuart's *MS. Collections*.

[d] Robertson, 87.

[e] *Acta Parl.* iii. 227.

The great end of that atrocious conspiracy, when the queen, by the additional crimes of the same conspirators, was coerced to marry Bothwell, on the 24th of May 1567 was obtained. Though Bothwell, who was now to be made the scape-goat of the conspirators, had acquired the elevation of Duke of Orkney, though he had married the reigning queen, he immediately felt, that he had lost his influence, in the state. The support of Murray's faction was now withdrawn from him; and she, by her marriage, with Bothwell, lost her character, and her crown.

Three weeks had scarcely elapsed, from the epoch of that marriage, when Morton, the murderer, who had, chiefly, promoted it, appeared, at the head of an armed force, to oppose his own act. His first avowed purpose, by proclamation, was, to free the queen, from the domination of Bothwell. Had this been done, *before* the marriage, there had been, in the act, something like sense, and something like honourableness: But, to marry the queen, on the 24th of May, merely, to dissolve it, on the 11th of June, evinces an inconsistency, denotive of crime. The true motive of this base conspirator will soon appear. It was to dethrone the queen, and, to send her to Lochleven-castle, a prisoner. The warrant, for her commitment, which was signed, by Morton, and five other nobles, still remains[f]: But, it would not justify the sending of a prostitute to the watch-house. The queen had governed, by means of Murray, and his faction; and they had nothing of misconduct, much less of crime; to lay to her charge[g]. Such contradictions, merely, evince, that Morton, and Maitland, with their adherents, were, only, acting upon the principle of one conspiracy, after another:

---

[f] See it in Mr. Laing's *Dissertation.*

[g] Yes; says Robertson, with his usual prejudice, "Mary's *affection*, for Bothwell, continued, as violent as ever." [*Hist.* i. 446.] And to prove this falshood, a forged letter of the queen to the conspirator, and scape-goat, was produced, which having done the work of a day, was heard of no more. The fact, that Murray's faction were the king's murderers; the fact, that the queen was coerced to marry Bothwell, by the same faction, puts an end to such prejudiced positions.

Their present object of conspiracy was, to crown the infant prince, in his mother's room, and to place Murray, in the vice-regal chair, the object of all his ambition, of his hypocrisy, of his crimes.

It was, probably, the inefficience of the warrant of commitment, as well as the grossness of their charges, which induced the conspirators, to look for something more satisfactory to justify their guilty actions, after the king's murder. Five days, only, after the queen's commitment, Morton, the murderer, asserted, that he had intercepted Dalgleish a servant of Bothwell, carrying a box, with love letters of the queen's, from Edinburgh-castle to his master, in Dunbar-castle[h]. There is some evidence, that Bothwell had no writings of the queen, a few days before the murder, committed by Bothwell: But, we have no evidence, that she ever wrote any letters, at that time, to Bothwell. As a conspirator, he did not court her love; as he was to have her, as his wife, from Murray's faction, as his reward, for killing her husband. Though Dalgleish was examined on the 26th of June, by Morton, and others about the murder; not a question was asked him, about the box, and letters. Was there ever any examination, about such a boxful of letters, important as they were? No. The mere assertion of such a miscreant, as Morton, is no proof, that he ever found such a boxful of letters: But, as neither Dalgleish, nor any other person, was ever examined, about the boxful of letters, this is evidence, that no such letters were ever found; though such letters may have been forged. When the supposititious letters were laid before the Privy Council on the 4th of December 1567, they appeared, as letters, *written, and subscribed*, by the queen: When such supposititious letters were, a few days after, laid before the Parliament, they appeared as *written*, but *not signed*, by the

[h] Edinburgh-castle remained in possession of Lord Erskine till the 21st of March 1567, when Cockburn received the command, from him, by the queen's order: Cockburn continued, in this command, till the 1st of June, if not longer, when Sir James Balfour succeeded him, in this trust: But, Bothwell had his own Castle of Chrichton, a few miles, from Edinburgh, where he kept his papers.

queen. Here, then, is proof of some fraud. And, this fraud evinces, that letters had been forged, but not found. The queen, when such supposititious letters appeared, in England, in the hands of her husband's assassins, asserted, that she had never written such letters: And, her assertion against the assertions of such miscreants, whose villany is unquestionable, ought to be believed. Coupling all those circumstances together, it becomes quite clear, that such letters were never intercepted; and that this pretence was a mere afterthought, when the conspirators were hard pressed, for some justification of themselves, and for some show of charges against the queen.

The king's murderers continued to play with this notorious interception, by a notorious falsifier, from June 1567 till December following. But, there was meantime, no publication of the contents of the box; they did not, in that period, avow what they had discovered: they pretended, indeed, that they had found ample proofs against the queen; yet, they did not explain the nature of their secret. The murderers, with the useful calumny of the clergy, raised a very loud outcry against their sovereign, whom they had injured, and therefore hated; they charged her with disgraceful crimes, which they never proved; they threatened her life: And, under these calumnies, accusations, and threats, they compelled her, while a captive, in Lochleven-castle, to resign her sovereignty to her infant son, and her government to her bastard brother, who had formed so many conspiracies, for obtaining this constant object of his guilty life.

The new government, consisting, chiefly, of the king's assassins, convened a Privy Council, on the 4th of December 1567; to prepare measures, for a subsequent Parliament, in the same month. Upon view of those supposititious letters, without any examination, whether they had been found, or forged, the Privy Council resolved, that the queen's dethronement was owing to the queen's default. For, she had sent to Bothwell, one of the murderers, letters written, and *subscribed*, by her, containing much coarseness, but no

proofs of murder, or knowledge of murder; and she had privately, and suddenly, married Bothwell: whereby, it was deemed certain, that she had assented to her husband's murder. We have just seen, however, positive proofs, that such letters must have been forged, but, certainly, not found. As to her marriage with Bothwell, which was not *private*, but public; let it always be remembered, that it had been an essential point, in the detail of the conspiracy, for the king's murder, that Bothwell should have the queen's person, in reward, for his activity, as the conspirators' tool, in the king's murder; that Morton, and Maitland, two of the convicted murderers of the king, had obtained a writing, called a Bond, from many prelates, and peers, declaring his innocence, and engaging to defend his marriage with the queen. Emboldened, by the previous engagement of the conspirators, and still more, by this written declaration of the prelates and peers, Bothwell arrested the queen on the highway; carried her, forcibly, to the Castle of Dunbar; and there coerced her, to agree to marry him. Now; the Parliament of December 1567, which was called, by Murray, in which Morton, presided, as Chancellor; and in which Maitland took the direction, attainted Bothwell of treason; three of the points, charged upon him, as traitorous, were, that he had arrested the queen's person; that he had carried her, forcibly, to Dunbar-castle; that he had, there, *coerced her to marry him*[1]. The Parliament thus contradicted the resolves of the Privy Council: Those three facts, which were found, by Parliament, nullify the resolutions of the Privy Council, being quite inconsistent with them: and, the inference of the Privy Council, thus contradicted, by Parliament, that the queen, previously, knew of her husband's murder; because she had, subsequently, married Bothwell, is foolish, and false; as the Parliament found the fact to be, that she had been *coerced* to marry him, while a prisoner, in Dunbar-castle: But, what guilt does any woman incur, who is overpowered, by a

[1] *Acta Parl.* iii.

ruffian, whom she could not resist? As to implicating the queen, by inference, in the murder of her husband, we must always remember, that Murray, and his faction, who now charged the queen, were the real murderers of the king; which the records demonstrate; and of consequence, that she was innocent: The attempt of the murderers to cast the guilt, from themselves, upon innocence, must for ever be deemed the basest aggravation of the blackest of crimes.

Such, then, is the groundless result of the proceedings, in Murray's Privy Council, when attempting to justify the king's murderers, and to criminate the innoxious queen. The assassins stand unjustified: And, the queen was dethroned, by them, without a cause: Their attempt to justify themselves, by the supposed default of the queen, appears to have been one of the vilest acts of an abominable age.

Yet, were the proceedings of that Privy Council made the baseless foundation of an act, recognising the sovereignty of the queen's son, as king, and Murray, as his regent; justifying the perfidious proceedings of the king's assassins against the queen; and legalizing her imprisonment, though it had been done, without a cause; being degraded, by calumny, criminated, by artifice, and overborne, by violence: While the king's assassins were justified; because their crimes were concealed, under their own professions, under popular delusion, and religious zeal.

By all these proceedings of the Parliament of December 1567, guilt was elevated, and innocence depressed. The queen's imprisonment was legalized, her sovereignty to her son was completed, and her sceptre was placed in the guilty hands of Regent Murray. In this state of matters, abominable as it was, the queen made her escape, from Lochleven-castle, on the 2d of May 1568. She immediately repaired to Hamilton, where she found many of her nobles, in arms, for her support. She hastened to decide, by warfare, her own, and her kingdom's, fate: Whether right, or wrong, should prevail; whether guilt, or innocence, should govern

Scotland. The queen's forces were defeated, at Langside, in Renfrewshire, on the 13th of May, eleven days after her escape. And she now thought herself obliged to seek for shelter, in England, which she entered, three days after her fate had been decided at Langside, when she was aged, little more than four-and-twenty. She soon found, that, amidst a choice of difficulties, she had chosen the worst. She was, immediately, made sensible, that she could not retrace her imprudent step, in entering England, which had always, in peace, and in war, been hostile to her. The imprisoning of a neighbouring queen, who came to ask an asylum, from rebellious violence, could not be defended, by any principle of any law, human, or divine, whatever the sophistry of Cecil might suggest. She was not long after drawn, by the dissimulation of Elizabeth, and the artifices of Cecil, into a labyrinth of enquiries, with regard to her own, and some of her nobles conduct, which had produced so many disastrous events, to her, and her people. Her credulous eyes did not perceive, that such enquiries could only end, in her immediate disgrace, and lasting captivity [k].

Elizabeth's Commissioners, for those enquiries, Norfolk, Sussex, and Sadler, assembled, at York, in the following October; where they were met, by Murray, and the other Scotish Commissioners. Mary's Commissioners appeared, soon after. The Dean of York administered an oath to the several Commissioners, that they would act faithfully. This solemn ceremony was prescribed, in order to impose upon the credulity of a confiding world, the ho-

[k] Sir Francis Knollys, the keeper of Mary's person, and the spy upon her actions, wrote to Secretary Cecil, from Bowton-castle, on the 20th of October, 1568: "All things considered, I see not how her majesty can, with honour, and safety, detain this queen,—*unless she shall be disgraced to the world.*" [Goodall, ii. 161.] Some other of Elizabeth's statesmen, wrote to Cecil, in similar terms. Hence, we may perceive, that the great object of Elizabeth's enquiries, with regard to the Scotish queen, was, *to disgrace her to the world:* The measures, which were pursued, by Elizabeth, and Cecil, would evince this purpose, however base. [Burnet's *Hist of the Reformation*, 369-373. Hay's *Letter to Knox*. Goodall, ii. 371. Bannatyne's *Journal*, 294-9.]

nourableness of the trust, and the impartiality, wherewith it would be conducted[l]. How they acted, in pursuance of their commission, and their oaths, facts must tell. They allowed Murray to send them, Maitland, Mac Gill, Buchanan, and Belnavis, four of the ablest, and artfullest men, in Scotland, not as Commissioners, but, as individuals, as they protested, who in private, and secret conference, showed them some *letters*. The result will prove, that the notorious letters, from Glasgow, were not equal to these, in coarseness, and in crimination[m]. Yet, were such letters, so communicated, in *secret*, extracted, and described, and the extracts, and descriptions, sent to Elizabeth, for the information of her intellect, as well as the gratification of her hate. All this while, Mary, and her Commissioners, were ignorant of this *clandestine* transaction; and were preparing to enter upon a trial, that was thus, in a great measure, decided, already, against them, by perjury. The injustice, and knavery, of this proceeding are sufficiently apparent[n]: But, it is curious to remark, that when Elizabeth's Ser-

[l] See the oath, in Goodall, ii. 121. 'The Commissioners took God to witness, that in this enquiry they would be honest, godly, just, and true.'

[m] Sadler left behind him a collection of *State Papers*, which were published, in 1809; and there were given, in vol. ii. 337, "*The special words* in the queen of Scots letters, *written with her own hand* to Bothwell; declaring the *inordinate, and filthie love between her, and him.*" Compare the genuine forgery, in Goodall, ii. 1-2 with Sadler's *fabricated forgery*, in his *St. Pap.* ii. 337-8; and it will appear, very distinctly, that there had been a reforgery of the Glasgow forgery!!

[n] See in Lodge's *Illustrations*, ii. p. 1-6, a very intelligent letter of the Earl of Sussex, one of those Commissioners, to Cecil, dated the 22d October 1568: "If the adverse party accuse the queen," says he, "of the murder [of her husband] by producing of her letters, she will deny them; and accuse the most of them, of manifest consent to the murder, [which is] hardly to be denied; so as upon the tryal, on both sides, her proofs will, judicially, fall best out, as it is thought."

Thus far Sussex, who thus appears to have had a glimpse of the truth. Sussex went on to say to Cecil: "If Murray will produce such matter, as the queen's majesty may, *by virtue of her superiority over Scotland*, find, judicially, the Scotish queen guilty of the murder of her husband, and therewith detain her, in England, at the charges of Scotland, and allow the crowning of the young king, and regency

jeant Barham, opened the prosecution against the Duke of Norfolk, for treason, he charged Norfolk, with *perjury;* inasmuch as, at York, he had taken an oath, to act fairly as a commissioner; and yet had acted knavishly [o].

To suit her own purpose of detraction, Elizabeth advocated the enquiry of York to Westminster. New Commissioners were added to the old, by a fresh appointment, including Secretary Cecil. These new Commissioners now took the same oath of fidelity to the trust; in order to keep up a fair appearance to the eyes of France, and Spain. Facts must tell, whether the new Commissioners acted more honestly; or became, by artifice, equally perjured.

The great object of Elizabeth, and Cecil, appears to have been, to obtain, by intrigue, from Murray, a formal accusation of the Scotish queen's knowledge of her husband's murder [p]. This accusation was now made, under the usual protestation of hypocrisy, that the Scotish Commissioners wished not, to criminate their queen; though the same charge had been made by them, in the Privy Council of Scotland, on the 4th of December, 1567; repeated, by them, a few days after, before the Scotish Parliament; and again made by them, insidiously, at York. To the well-known letters, which Morton, the murderer, said he had intercepted, but which were, by Maitland, the conspirator, forged, were now added promises of marriage by the queen to Bothwell; love sonnets, a fabricated journal; in order to buttress the letters, which though formerly, in the Scotish language, were now exhibited, in French.

---

of Murray." Coupling this intimation of Elizabeth's *superiority* over Scotland, with the attempt of the English Commissioners, after the opening of the Commission, at York, to get the Scots Commissioners to admit the feudal superiority of England; it is sufficiently apparent, that the baseness of Cecil, and the abominableness of Elizabeth, had it in contemplation, to adjudge the Scotish queen, as a subordinate, to be guilty of her husband's murder, upon the charge of the murderers themselves, supported, by their forgeries, and their perjuries!

[o] See Barham's argument, in Sadler's *State Papers*, beforementioned.

[p] Goodall, ii. 203-6.

And Morton, and Murray, with their coadjutors in the commission, and their associates in crime, now swore, that the whole were true; that the French letters were, undoubtedly, in the queen's hand. The guilt of such oaths is sufficiently apparent: But, what shall we say of Elizabeth, and Cecil, who knew the letters to be forgeries? they were only guilty of subornation of perjury [q]. And, by the same management, the Earl of Lennox was now brought forward, to act his guilty part, in this nefarious scene [r].

Mary's Commissioners now recriminated against Murray, and his coadjutors, as guilty of the very crimes, which they had so often, and so falsely preferred against their mistress. They desired, at the same time, what was reasonable in itself, that since the queen's accusers were admitted to Elizabeth's presence, she also should be admitted to the same presence. And Mary's Commissioners added, that unless she were so admitted, to defend herself, and to charge the guilty; they would not proceed any further, in such an enquiry, which seemed to depart, from the candour of equal rights; and to approach to crimination [s]. Cecil remarked, indeed, that the demand, to admit the Scotish queen to Elizabeth's presence, was made; knowing that it would be denied: But, by that denial, the enquiry was denuded of its character of impartiality, if, indeed, any impartiality remained, after the secret pro-

---

[q] Goodall, ii. 221; 230-1-235.

[r] *Ib.* 208-9: There remains, in the Paper Office, a letter, from Walsingham, to Cecil, of the 20th of November 1568; intimating "that if for the discovery of the queen of Scots's consent to the murder of her husband, there lack sufficient proofs, he is able, to discover certain [persons,] that should have been employed in the said murder, who are here to be produced." It seems probable, that this was the introduction of Lennox, with his witnesses.

[s] Such were the proceedings of the 4th of December, 1568, at Hampton Court. *Ib.* 221. On the 9th of December, the Earl of Morton swore to his interception of the letters; [*Ib.* 230.] but, what is the oath of a miscreant, and murderer, more than his word? Other evidence was given in, by Murray; and his associates in villany. *Ib.* 229. A long list of various documents was, also, given in, by Murray, without establishing one point of the queen's guilt; the real object being to calumniate her, and her friends. Goodall, ii. 87-88.

ceeding, at York: Elizabeth, by her conduct, supposed the innocent to be guilty; and the guilty to be innocent. Historians, however, have asserted, that Mary seemed to shrink, from the charge against her, as if conscious of guilt; and appeared to recriminate, more from revenge, than from knowledge of their guilt, and consciousness of her own innocence[t]: But, such historians found it more easy to scribble, than to enquire: They did not themselves know, what could be proved, on either side; and they did not see what is so apparent, at present, that the whole enquiry, on the side of Cecil, and Elizabeth, was intended, merely, to obtain materials of defamation, for disgracing the Scotish queen, in the eyes of France, and of Spain; forgetting that they disgraced themselves, by their partiality, and their perjuries.

But, Mary was not a woman, who would shrink, from enquiry; the Bishop of Ross was not an agent, who would be discouraged, by whatever difficulty; and Lord Herries was not a noble, who would be pushed aside, by whatever danger. The queen's Commissioners, by her directions, returned to Hampton Court, on the 24th of December 1568; and avowed their purpose, of laying the said crimes to the charge of Murray, and his associates; to defend their mistress's innocence; and to answer the calumnies, which were alleged against her[u]: And, they desired, that they might have such writings, or copies thereof, as had been given in evidence against their sovereign. Elizabeth pretended to think this *very reasonable;* and rejoiced, with invidious sympathy, that her good sister would, in that manner, defend her honour[x]. An

---

[t] Even before the queen was driven, from Scotland, she knew, that Morton, and Maitland, were concerned in her husband's murder. Lord Scrope, and Sir Francis Knollys, Mary's keepers, wrote Cecil, from Carlisle, on the 29th of May 1568: "And, withal she affirmed, that both Maitland, and Lord Morton, were assenting to the murder of her husband; as it could well be proved, although now they would seem to prosecute the same." [Goodall, ii. 71.]

[u] Goodall, ii. 281.

[x] *Ib.* 282: The Bishop of Ross, and Lord Herries, now gave in strong documents against Murray, and his associates. *Ib.* 283-93.

attempt was however made, by Elizabeth, and her Commissioners, to browbeat the Bishop of Ross, and Lord Herries, in vain: They adhered to their instructed purpose of charging Murray, and his coadjutors, with the crime of murdering the queen's husband: And, they again prayed, for copies of the documents, which had been given in against their mistress; a request, which Elizabeth again declared to be very reasonable; yet, was afraid, or ashamed, to grant[y]. Elizabeth wished rather to end this enquiry, which had grown rather serious, by proposing to Mary a compromise, which had left her in disgrace, without being freed from thrall. No, said Mary, I am resolved to die, rather than resign my rights; and the last word, which I shall utter, in my life, shall be that of a queen of Scotland[z]. She felt, Elizabeth's proposal of a compromise, while she refused to communicate Murray's documents, was only an additional wrong: While the allowing of Murray, and his associates, to depart for Scotland, with their box, and their forgeries, was an aggravation of Elizabeth's injuries, and dissimulation[a]. The enquiry was now at an end, though Mary's Commissioners continued to urge her claim as late, as the end of January, 1568-9, which Cecil, and Elizabeth prolonged, for the interest of Murray. Nothing, however, was decided, which answered completely, Elizabeth's original design of disgracing, by calumnies, the queen, whom she envied, and hated. The English Commissioners, with Cecil, at their head, had, also, taken an oath, to act fairly; yet acted foully: and, thus brought themselves within the judgement of Serjeant Barham, that they were thereby guilty of perjury. Elizabeth was only bound by her honour; yet, she acted dishonourably; she was only guilty of subornation, by making the wretched murderers of the Scotish king,

[y] Goodall, ii. 300-3. [z] *Ib.* ii. 301.

[a] *Ib.* 309: But, Murray did not leave London till the 24th of the same month: He had the loan, or rather gift of 5,000*l.* to be received: His bond was dated, on the 18th of that month. *Ib.* 313. And, he had the whole expense of the commission to pay out of it.

to swear, positively, to the truth of papers, which they knew to be forged; and which they had produced, to throw their own guilt upon the Scotish queen.

During this long, but disgraceful enquiry, there had been so many papers given in, with answers, and replies, that common readers cannot easily comprehend what was affirmed, and what was proved. Even historians were bewildered, by the voluminousness of the documents, though, perhaps, still more, by their own prejudices. And it was the knavish policy of Cecil, and Elizabeth, to leave the question, at issue, undecided; by hearing the charges, without attending to the defences. In this view of the subject, it may be satisfactory to state, briefly, Murray's charge, with what the queen might, if she had been more happily placed, have proved, in its refutation. The issue between them being, who murdered her husband? A thousand facts have been, recently, ascertained, which represent the conduct of both parties, in new, and more genuine colours[b]. The following, then, is the *charge*, which was made against the queen; and was signed, by the Regent Murray, by Morton, the Chancellor, by Lord Lindsay, by the Bishop of Orkney, and by the Commendator of Dumfermlin:—

"The Scotish Commissioners say; they consider it as certain, and they have, constantly affirmed, that James Earl Bothwell was the chief committer of the murder of the late king: So, the queen, who, soon after, married Bothwell, must have been in the foreknowledge thereof, and even the contriver, and director of her husband's murder. 2dly. That she had impeded, and prevented, the prosecution of Bothwell, for that horrible crime. 3dly. That she having married Bothwell, they began a new and cruel tyranny, in her kingdom. 4thly. That the queen, and Bothwell, *intended*, to murder the queen's son, as they had murdered the father; and thus transfer the sovereignty, from the legitimate heir, to Bothwell. 5thly. In which respect, the estates of Scotland, finding her

[b] See Murray's charge in Goodall, ii. 206: and the queen's answer, *Ib.* 285.

unworthy to reign, determined that she should resign the crown, in favour of her infant son, with the regency, during his infancy, to Murray."

It has been remarked, that this charge against Mary, has never been pointedly answered, by the queen's friends; nor have the documents, produced in support of those imputations, been ever refuted. In order that, this may be no longer said, however absurdly, I shall proceed, in the same series, to answer the above charge; consisting as it does, of *gross falsehoods*, and absurd sophistries, which could have only been made before willing judges.

(1) Yes; Bothwell was one of the chief committers of the murder of the king: But, it was, as one of a conspiracy, consisting of Murray's faction; particularly, of Morton. Bothwell was the mere *cats-paw* of that conspiracy, without any communication with the queen: And, Bothwell was afterwards made the *scape-goat* of the same conspiracy. But, the queen was not one of that conspiracy!

It is certain, now, whatever it might have been formerly, that the Scotish king was murdered, by Murray's faction. The epoch of this conspiracy was Michaelmas 1566, when Darnley came to Edinburgh, and would scarcely, enter the palace, because *the lords* were within: The queen, however, carried him up a private stair, and took him to her bosom, and her bed. His conduct was such, on that occasion, when he talked of emigrating, from Scotland, that *the lords*, Murray, and Maitland, formed the plot, which ended, in his death. It was at that epoch, that Bothwell, whom they had always hated, was drawn into the concert, as Murray admitted, in answer to Argyle, and Huntley's charge; and was, of course, one of the conspirators, when the queen, in October following, visited him, at Hermitage-castle. At Craigmillar-castle, in November, thereafter, the conspiracy was carried into detail, after the queen had positively refused to be divorced, from Darnley: She was now included, in the fate of her husband; as she was destined, by the conspirators, to be the wife of Bothwell, after the murder of Darnley. Writings were, on that occasion,

certainly, drawn, and signed, by the conspirators; assigning to each his part; and engaging for mutual support.

Morton, who was then expatriated, in England, was informed, by Maitland, of the whole plot, and the parties: But, Maitland dared not do this, without the direction of Murray; neither could the conspiracy have been formed, without his assent; as he was at the head of an overpowering faction, and had the chief conduct of all affairs[c]. In this view of the plot, Bothwell, and the queen, were both to be disgraced, by their marriage; he was, in consequence, to be expelled; and she dethroned: The facts, as they were ascertained, by events, demonstrate the details, which form the outlines of the plot.

Morton was pardoned, at Christmas, 1566, by the solicitation of Elizabeth, Cecil, Murray, Athole, *Bothwell*, and other nobles; acting in concert. Morton still remained, at Berwick, on the 10th of January, following. But, he soon after retired to Whittingham, in Hadington, where about the 20th of the same month, he was visited, by Maitland, and Bothwell, for the purpose of concerting the murder of Darnley[d]. This, then, is the very definition of a conspiracy; being the concert of three persons of great note, who were connected with, and in the confidence of Murray, for the king's murder.

The next point, after the foregoing proofs of a conspiracy, is, to prove, beyond a doubt, that those three miscreants, Bothwell,

---

[c] For proofs, see Goodall, ii. 317, 321, 352: and see Ormiston's confession, in Arnot's *Crim. Trials*, 383-8.

[d] Drury, the Marshal of Berwick's letter to Cecil, of the 23d of January 1566-7, in the Paper Office. On the block, when Morton was to be decapitated, for the murder, he confessed, that the object of their meeting was, to concert the death of Darnley. [See Dalyell's *Illustrations of Scots Hist.* 493-6.] Archibald Douglas, the cousin, and agent of Morton, who was present, at Whittingham, avows the same object, as the business of that meeting, with Morton. [See Douglas's letter in Robertson's *Appendix*, 350; Goodall, i. 282.] The object of the meeting, then, cannot be doubted: and, it is equally apparent, that Bothwell then acted, with Murray's friends, and *not* with the queen.

Maitland, and Morton, the conspirators, were, in after times, severally, convicted of the same crime, as it had been concerted, by them, on that occasion. The king was murdered on the 9-10th February 1566-7: And Bothwell was attainted, by the Parliament of December 1567, for the murder, and parricide, by him committed, in pursuance of that conspiracy, on the person of Henry, the late king[e]; Bothwell, being expelled his country, died, in Denmark, confessing his guilt. Maitland was also attainted, by Parliament, in 1571, for the same crime[f]; and died, by poison, in 1573, from whatever hand[g]. Morton was convicted of the same crime, in 1581; was beheaded, for the treason, and his conviction was confirmed, by Parliament, in November 1581[h]. Thefact, then, is certain, beyond the possibility of a doubt, that the three conspirators, at Whittingham, were convicted of the king's murder: The conspiracy was first proved, completely; and, secondly, the conviction of the conspirators was proved, from the public records, and from the *Acta Parliamentorum.* As to the principal question, who murdered the king; there can be no doubt now, whatever Elizabeth, and Cecil, may have thought, or

---

[e] Sir Lewis Steuart's MS. collections; *Acta Parl.* iii. 6.

[f] Sir Lewis Steuart has gathered, from the record, under the year 1571, the conviction of William Maitland, the younger, for airt and part of the treason, *conspiracy, consultation,* of the king's murder; *Acta Parl.* iii. 58, 137.

[g] Spots. *Hist.* 271-2; Kyllygrew, Elizabeth's envoy at Edinburgh, wrote to Cecil, on the 12th of June 1573; "Nothing has occurred here of late, but Lethington's death, not without suspicion of poison:" Morton was, plainly, pointed at. This happened, after the surrender of Edinburgh-castle, wherein he had long been protected.

[h] Arnot's *Crim. Trials,* 388-92; Sir Lewis Steuart's MS. collections; *Acta Parl.* iii. 227-9: See Morton's confession, in Dalyell's *Illustrations,* 493; Moyses's *Mem.* 53-4: After this veracious writer has given an account of the beheading of Morton, on the 2nd of June 1581, he adds, what is very important, "Upon the next day, one John Binning, servant to Archibald Douglas, declaring that he was present with his master, at the murder, was hanged, and demeaned as a traitor." *Ib.* 55. See Arnot's *Crim. Trials,* 7-9, for the trial of Archibald Douglas, for the king's murder.

pretended to think, formerly; or whatever historians, or disputants, may have written, more recently. The answer, for ever, must be, Darnley, the queen's husband, was murdered by Morton, Bothwell, and Maitland, in concert with Murray, the chief of the conspiracy, who was, principally, benefited, by the result of the plot: But, as they were, certainly, the murderers, the queen was innocent of the *fore-knowledge* of the fact; much more could not have been a plotter, and contriver of the murder.

It is but a very false conclusion, which the accusers of Mary make, that because the queen, soon after the murder, married Bothwell, she must have had foreknowledge thereof; and even been the contriver, and directer of her husband's murder: For, she did *not consent* to that marriage, but was *coerced* to agree to marry Bothwell. Now, there was an act of the Privy Council, at the head of which was Morton, one of her accusers, of the 21st of July 1567, which asserts, that Bothwell, treasonably arrested the queen, on the highway, and forcibly carried her to Dunbar-castle, and constrained her, being in his bondage and thraldom, to contract an ungodly and pretended marriage with him. [Anderson's *Col.* i. 142.] The Act of Parliament, in December 1567, which attainted Bothwell, charged him, as the grounds of that forfeiture, with the same three facts, in stronger language; (1) that he had seized her on the road; (2) that he had forcibly carried her to Dunbar-castle; (3) that he had therein coerced the queen to agree to marry him. [*Acta Parl.* iii. 6.] Those three facts being true, the inference of the charge must be false; what foreknowledge of the murder could she have from a *coerced marriage?* Being coerced, by a ruffian, what guilt could she incur? Yet, say her accusers, she was the contriver, and directer of her husband's murder. No: as they were guilty of the murder, she could not be guilty; as she was the victim of the conspiracy of her accusers[1].

[1] *Acta Parl.* iii. p. 58: Murray, Morton, and Maitland, as they sat in that Parliament, knew the three facts, abovementioned; and of course, stated, deliberately,

2ndly. That she had prevented the prosecution of Bothwell, while the conspirators themselves obtained his acquittal, and a declaration of his innocence, is only an aggravation of their own villany, in charging upon the queen what themselves had done, collusively. The queen, personally, had not influence, either to promote, or prevent, the prosecution of Bothwell: Murray's faction was all-powerful: and the whole officers of state, who had the conduct of the public affairs, were, merely, his creatures. Bothwell was, in fact, tried, for the murder of Darnley, by Murray's judges; and was acquitted, by the management of Morton and Maitland, who now charged the queen: The conspirators had engaged, to save Bothwell harmless, and to reward him with the queen's marriage: And they performed both those engagements, with the aid of his own audacity, to coerce the queen, when he could not persuade her. After his acquittal, Morton, and Maitland, procured a bond, from many nobles, and prelates; declaring him innocent of the imputed crime; and the fittest for the queen's husband, which they would defend: emboldened, by these means, Bothwell arrested the queen, on the road to Edinburgh; carried her to Dunbar-castle, and therein coerced her to marry him. It is false, then, that she impeded the prosecution of Bothwell: It was the queen's accusers, who protected him, saved him harmless,

---

what they knew to be false: the logic, then, of the charge against the queen, by these murderers of her husband, was not only absurd, but criminal: The conspirators, who charged her with the guilt of marrying Bothwell, were the very plotters, who, in pursuit of their object against Darnley, encouraged Bothwell, to carry off the queen, and to coerce her to marry the ruffian, whom they meant, to make a scape-goat. The queen incurred no guilt, in marrying Bothwell, any more than any other woman incurs guilt, who is overpowered, by a ruffian, and submits to a force, which she could not resist. Under all those facts, and circumstances, to assert, that the queen, who was thus coerced, by the conspirators, to marry Bothwell, who must have known of the murder, was absurd in argument, and most wicked, in the murderers, to cast the guilt of that crime, from themselves, upon their innocent sovereign. To this effect, see the Act of Privy Council, on the 21st of July 1567, beforementioned.

and enabled him, to force the queen to marry him. The villany of the queen's accusers, in charging her with preventing the prosecution of Bothwell, while themselves were guilty of acquitting him from prosecution, evinces the wickedness of the charge, and its falshood.

3dly. They charged the queen, that having married Bothwell, they began a new, and cruel tyranny: But, of this charge, there are no examples given, nor proofs brought; so that it consisted of the assertions of murderers, and falsifiers. Murray's officers of state continued, in their several functions, and Maitland, the secretary of state, acted, after the marriage, as before; so that they were the tyrants, if any were, and not the queen. But, as soon as the marriage was solemnized, which the murderers had forced upon the queen, the conspirators, with Morton, at their head, began to treat Bothwell, as a *scape-goat*, having no more occasion, for his odious services: And, Morton, who had taken the lead, in procuring Bothwell's acquittal, when tried for the murder, and in obtaining a written declaration of so many nobles, and prelates, of *his innocence*, and of *his fitness*, for the queen's husband; drew his sword against both: Such gross contradictions, in such a character, not only shows the wickedness of the transactions, and the falshood of the charge, but the villany of the man.

4thly. Those convicted murderers next charge the queen, and Bothwell, with *intending* to murder her only son, that Bothwell might reign alone: The charge, by the murderers of the father, then, is, that the queen would murder her only hope, to please a husband, whom they had forced upon her. Three months, before the date of this falshood, the queen had placed her son, in the hands of the Earl of Mar, Murray's relation; and had assigned the Castle of Stirling, for his residence, which Bothwell could not enter, either by force, or fraud. Such a charge, by such guilty wretches, in such circumstances, evinces the baseness, and falshood, of the conspirators, as well as the gross credulity of the Scotish people, during a fanatical age.

5thly. The last charge is, that the Scotish Parliament, in respect of all those circumstances, demanded of the queen the resignation of her crown. This charge is as false, and as base, as any of the former ones. And it amounted to this, that *the estates* demanded the queen's resignation. The guilty conspirators altogether forget; that on the 16th of June 1567, the convicted murderer Morton, with five other nobles, as base as himself, dethroned the queen, by imprisoning her in Lochleven-castle; that in July following[k], they compelled their sovereign, by personal violence, to resign, in a formal manner, her sovereignty to her son, and to relinquish her government to Murray, during the child's infancy. The Castle of Lochleven was the guilty scene of this treasonous act: and Lord Lindsay, one of her present accusers, was the infamous instrument of such atrocious violence to a woman, and a queen. Yet, there was one more act of even grosser violence, committed, before this traitorous action could be completed: Lord Lindsay brought a mob, to compel the Keeper of the Privy Seal, to affix that seal to the three instruments of resignation. It was at three o'clock, in the afternoon, of the 25th of July 1567, that Lord Lindsay brought those instruments to Thomas Sinclair, who had been deputy keeper of that seal, from 1555 to 1574; and who, amidst a world of wickedness, was an honest man; as appeared, by his refusing, so long as the queen's majesty was *in ward*, to seal any such letters, as were extraordinary: Lord Lindsay pressed him to seal the instruments; but he continued to refuse the seal: And, Lord Lindsay took from him the seal, and *with company of folks*, compelled him to seal the same; which this honourable man protested was against his will, *vi majori*, which he could not resist. By this violence, then, was the Privy Seal obtained to the three instruments of resignation. The same facts; indeed, were stated, by the *queen's* Parliament, upon the 12th of June 1571, in nearly the same

[k] Cecil in his *Diary*, Murdin 763, states the above fact, on the 24th of July 1567.

words[1]. This last charge, then, was not borne out by the facts, which evince, that Morton, and the other conspirators, by coercion, obtained from the imprisoned queen, a resignation of her government; to which instrument of resignation, the Privy Seal was affixed, under the violence of a mob; Lord Lindsay, one of the present accusers, being the instrument of those violences. This last charge, then, is false, a deliberate falsification; which demonstrates, that the five accusers were altogether unworthy of any belief.

The *charge* of the *conspirators*, as it has been now shown to be a deliberate falshood, also evinces, that the documents, which were brought to support it, must, necessarily, be false. The conspirators produced love-letters, from a queen to one of the conspirators, in a plot, which had, for its end, the sacrifice of the same queen, as a victim: They produced love-sonnets, from the same queen, to the same ruffian, who coerced her to marry him: But, it would require proofs of Holy Writ, to prove the genuineness of such letters, and sonnets. The conspirators swore that such letters, and sonnets, were genuine: But, what avail the oaths of miscreants, who were capable of any baseness; and who were themselves the guilty accusers? They produced state papers, which, by collation with the records published, under the Record Commissioners, appear to have been *vitiated*, by interpolation, or subtraction. But, it has been established, as a maxim, in courts of justice, and in the habits of life, that they, who have been detected, in the practice of fraudulence, ought, ever after, to be regarded, with a jealous eye. The cart-load of papers, which the conspirators laid before Elizabeth, ought, therefore, to be considered, as so much falsification, forged, and feigned, for the present occasion of calumny. And though the conspirators were

[1] The above singular act of violence, and villany, has been lately laid open to the world, by the ingenious, and inquisitive John Riddel, one of the learned faculty of advocates, at Edinburgh, in the *Edinburgh Magazine*, for October 1817.

ready enough with their own perjuries; yet, did the king's murderers find it a hard task, even with the aid of Cecil's artifices, and Elizabeth's dissimulation, when they undertook to prove, that innocence was guilt, fiction was fact, and forgery was truth. It is quite apparent, that the two facts, which have been already ascertained, that the very men, who charged the queen, were the murderers of her husband: 2dly, that three of the guilty plotters were attainted, by Parliament, of that atrocious deed; demonstrate the falsification of the conspirators' documents, whether letters, or sonnets, contracts, or state papers; as truth, and falshood, cannot stand together. The cart-load of papers beforementioned, which were produced, by the guilty hands of Maitland, and Buchanan, and other criminal agents of Murray; have been all torn in tatters, by the acumen, and industry of Goodall, and Tytler, and by the discernment, and eloquence of Whitaker, who thus closes his examination of them:—

"Their fate," says this powerful writer, "has been already pronounced. They are proved to be forgeries, by all the possible modes of trying them: The *internal*, and *external* evidence; their variations in substance, their variations in form, their variations in words; the history of the rebels' conduct; the history of Elizabeth's proceedings, at the conferences, in England, concerning them: Their contradictions to facts; their repugnances to common sense; their inconsistency with all chronology; and their violent oppositions to themselves, and to each other; all show them *to be forgeries*, with an accumulative weight of testimony."

Whatever may have been the opinion of Elizabeth, and of Cecil, with regard to the truth, or to the falshood of the several documents, which had been produced, in evidence, at York, at Westminster, and at Hampton-court, they clearly saw, that their great object of disgracing the queen was now obtained. She was charged with being accessary to the murder of her husband: She had denied this charge: she had retorted the same charge on her accusers: and, it suited the obvious purpose of Elizabeth, to close

the enquiry, at this stage of an inconsequential investigation, by imprisoning more closely her hated, and high-minded rival; and by dismissing Murray, and his associate murderers to Scotland, which was now sunk, owing to such measures of guilty men, into a dependency of England.

But, a charge, and a conviction, are very different imputations! A charge may be refuted; but, a conviction is decisive: The Scotish queen was *charged;* but, the proofs, which were laid before Elizabeth's Commissioners, partial, and perjured, as they were; were all either forged, or interpolated, or fictitious documents, that only disgraced the accusers, and contaminated Elizabeth, and her subservient Commissioners: On the other hand, it has been, at length, proved, beyond a controversy, that the accusers of the Scotish queen were the real assassins of her husband. The innocence of the Scotish queen remained untouched, by the enquiry, which only furnished materials for calumny; while the subordinate criminals, when they were put to death, for the same crime, "took God to record," saith Lesley, "that this murder of Darnley was by the conspirators' counsel, and invention, committed; but, that they never knew the queen to be participant, or aware thereof[m]."

Yet; upon the avowed principle of Cecil, and Elizabeth, of disgracing the queen of Scots, by calumny, the English Secretary long continued to gratify Elizabeth's malignity, and his own passion, for artifice, as he knew, *that other purposes, concerning the Scotish queen, could not be obtained, without disgracing her.* It was on this policy, that Cecil, from time to time, as the occasion required, demanded fresh documents of a like sort, from Murray, for the aforesaid object of disgracing the Scotish queen, in the world's view. Hence, were the two confessions, or declarations of Paris, the Frenchman, and servant of Bothwell, which were dated, on the 9th and 10th of August 1569, while he lay, as a

[m] *Defence of Mary's Innocence*, 1569, p. 44-5.

condemned criminal, in Murray's castle of St. Andrews: The first related, chiefly, to Bothwell; the second, to the queen[n]. Those papers have been reprobated, by Goodall, and Tytler, and Whitaker, as disgraced, by every mark of forgery. Of the *second* declaration against the Scotish queen, I have taken the forgers, Buchanan, and Wood, the notorious instruments of Murray, in the very act of fabrication[o]. And we cannot doubt what the knavish design of Murray was, in praising himself, and calumniating the queen, by that nefarious transaction of so many forgers. It was sent up to Cecil, by Murray, in the charge of the Commendator of Dunfermlin, on the 15th of October 1569, "gif furder pruif be requirit[p]." Cecil immediately saw, that he could not make any public use of such a declaration, which was taken by, and before, such notorious agents of Murray, as Buchanan, and Wood, and Ramsay, the Regent's servant. And the artful Secretary of Elizabeth desired the hypocritical Regent of Scotland, to send him a *certified copy* of the same declaration of Pa-

[n] See those fabricated documents, in Anderson, and Goodall's *Collections*: The original of the first is in the Cotton Library; the original of the second is in the Paper Office, where I have inspected it.

[o] The *testing* clause, or colophon of that *second* declaration of Paris is in the original, as followeth: "The copie of this Declaration, and Deposition, markit every leaf with the said Nicholas Howbert's own hand [marked thus] being read again in his presence, he avowed the same, and all parts and clauses thereof, to be undoubtedly true: [In presence of Mr. George Buchanan, Maister of St. Leonard's College, in St. Andrews, Mr. John Wood, Senator of the College of Justice, and Robert Ramsay, writer of this Declaration, servant to my Lord Regent's Grace.]" The whole clause, which is put, by me, between brackets [ ]; and which is so very important, was suppressed, by Anderson's knavery. Secondly, we see, that Alexander Hay, the notary, who was made, by management, the officer to certify the truth of that Declaration, by "*Ita est*," was not present, at the taking of this Declaration. It is to be constantly recollected, that French Paris could neither write, nor read: So he was a fit person, condemned, as he was, for the villany of Buchanan; and the baseness of Wood, to work upon.

[p] Goodall, ii. 84-86; Anderson's *Gen. Pref.* 19. I saw the original, in the Paper Office; a circumstance this, which proves, that Cecil had received it; as was intended, by Murray.

ris: we thus see the origin of the copy with Hay's certificate of "*Ita est*," which remains in the Cotton Library, while the original rests safely, in the Paper Office, indorsed by Cecil's secretary, "The second declaration of Paris." We thus see how those artful, and knavish men, Cecil, and Murray, played the game of fraudulence into one another's hands, for concealing the truth, and perpetuating falshood. Cecil, and Murray played the same odious fraud, when they concurred in the forgery of the Treaty of Edinburgh.

The confessions of Paris, thus made, by notorious forgers, have been shown, to be full of ignorance, and artifice, contradiction, and falshood; objections these, which Mr. Laing declares "*to be frivolous;*" and, incidentally, avows his opinion of the genuineness of Paris's declaration! Yes; it is a very frivolous objection to any writing, which may be produced, as proof, to show, that it was forged, by the party, producing it! One of the criminal judges of Scotland, in 1750, by reading the foregoing declaration of Paris, was induced, to believe every scandal, that had been cast on the character of the Scotish queen. It were to be wished, that judges, and lawyers, philosophers and historians, in Scotland, would imitate the cautious conduct of English judges, who would ask some questions, before they would read such documents: An English judge would enquire, who proves those confessions? They cannot be read, he would say, till they be authenticated.

It was, from the same *officina fraudis*, that *Buchanan's Detection* proceeded, in 1570. We may fitly say of this notorious work, that it contains *a lie in every line;* as it was written under Cecil's eye, for the odious purpose of calumniating one queen, to gratify another[q]. Well might they cry out, in Scotland, the En-

[q] The original of the above notorious libel was in Latin: and this was soon after sent, by Cecil, to his queen's ambassador, at Paris, with a hint, "to present it, *if need be*, to the king, as from yourself, and likewise some of the other noblemen of his council; for they will serve, to good effect, to disgrace her; which must be done, before other purposes can be obtained." [Digges's *Ambassador*, 151; Goodall, *Introd.* 25.]

glish have left nothing unset out, tending to our queen's infamy. But, Cecil went a step further, in his calumnious career: When the bishop of Ross sent to the press, towards the end of 1569, *A Defence of the honour of his mistress, the queen of Scots*, Cecil suppressed what he could not have easily answered, without the defamations of Murray, and the perjuries of Morton.

Buchanan, immediately, transcribed his Detection, with its lie, in every line, into his baser History, as we may learn, from Ruddiman: Even the History was written, under the eye of Cecil, with the fell design, of propagating the most seditious principles, as well as the absurdest tales, to justify the transfer of a legitimate sceptre to an ambitious bastard. De Thou adopted the falshoods of Buchanan, and would not be undeceived, by Camden, the best hi-

---

Cecil, and Buchanan, concurred, in thinking, that it would be well not to publish *Paris's second declaration*, in the detection: Of the villany of Cecil, there can be no doubt. Whoever recollects what I have so strongly proved, as a most important fact, that it was a conspiracy of Murray, Morton, Maitland, and *Bothwell*, as a *cats-paw*, who murdered Darnley; and who fabricated so many forgeries to cast the guilt, from themselves upon the Scotish queen, must think with me, that it is not saying too much, to remark, the Detection of Buchanan contains some lie, in every line.

[r] Buchanan's History was first printed, at Edinb. 1582. It was surreptitiously printed, in 1583: and there was a real edition of it, at Frankfort, in 1584, in 8vo. There appears to have been another edition at the same town. [Druidius's *Bibl.* 1264.] These editions, at Frankfort 1589, 8vo. seem to have comprehended the *De Jure* of Buchanan. The *De Jure* was probably written about the year 1569: It was first printed, at Edinburgh, in 1579; again, in 1580; again, in 1589, and at Geneva, in 1583, Rud. *Pref.* It was an age of revolutions: and, such wild, but ingenious speculations on government suited the tastes of many men. Buchanan's History, and *De Jure*, were condemned by the Scots Parl. 8th James VI, ch. 134. But this legislative condemnation did not, as we have seen, suppress them. It is curious to remark, that the Lord Chancellor Egerton, in delivering his judgement, in the famous cause of the *Postnati*, praised Mr. Adam Blackwood, a Scotsman, for his singular learning, in the civil law; and for defending the Laws of Scotland against the libel of Buchanan, *De Jure Regni apud Scotos*, and the seditious principles of those sectaries, Penry, Knox, and such like. See the Lord Chancellor's published speech, 1609, 44-99. The first translation of Buchanan's History was printed at London, in 1690.

storian of that age. Holinshed was, also, deluded, by Buchanan's balderdash: But, he wrote under the eyes of Cecil's spies, and with the apprehension of Elizabeth's mace. Of the same sort of apocryphal-narrative is Spotiswoode's *History of the church and state of Scotland.* He was told, by King James, *to write the truth and spare not,* concerning his mother: yet, this preceptive licence did not warrant the Chancellor Archbishop,* to transcribe so frequently into his History, so many of the lies, and lampoons, of Buchanan: Spotiswoode was an honest man; but, he was a writer, without reading, and without critical acumen. In 1584, was printed, at London, Knox's History of the Reformation of the Scotian Church[s]: But, it was immediately mutilated, by the vigilance of Cecil, who seems to have been jealous of every contemporary book, except his own. Next to Goodwin, the chaplain of Murray, Elizabeth disliked Knox, the most; as we learn from Cecil; who, however, made use of him, in Scotland, to disturb Mary's government: It should seem, however, that the political writings of the more zealous reformers, in that age, were what are now reprobated, as *jacobinical;* being equally irreconcileable to the principles of established society, as inconsistent with the pure precepts of the Christian religion.

During every year of Mary's unfortunate life, some pamphlet was sent, from the press, under Cecil's eye, to blast her character; as without her disgrace, it would not have been easy, for that able, but artful statesman, to justify so many measures against the Scotish queen, in addition to her continuance in prison. At the end of eighteen years, she died on the block, with a dignified resolution, a sacrifice to Cecil's hate, and Elizabeth's envy. To blunt the indignation of her son, and the resentment of her friends, it was given out, at the epoch of her death, that she had made a testament; leaving the kingdom of Scotland to Spain. It was one of the

---

* Herbert, *Typ. An.* ii. 1074.

last requests, that she made to Melvin, the steward of her household: "Commend me to my son," said she; "and tell him, that *I have not done any thing prejudicial to the state, and kingdom of Scotland*[t]." When the Scotish queen declared, that she was ready to die, she thereby blunted the unnatural malignity of Elizabeth, and defied the habitual hatred of Cecil, whose pasquils followed the calumniated queen to her silent grave.

There could not be any libel on the life of the Scotish queen, after the accession of her son to the crown of England, who was cautioned to forget, and to forgive: In Daniel's panegyrick on King James, 1603, the poet presumed to instruct him:

"A king of England now most graciously,
Permits the injuries that have been done
T' a king of Scots, and makes his clemencie
To check them more, than his correction:
Th' annoynted blood, that stain'd most shamefully
This ill seduced state, he looks thereon,
With th' eye of grief, not wrath t'avenge the same;
Since the authors are extinct that caused that shame."

The seventeenth century was too much occupied with its own disputes, its peculiar innovations, and its civil war, to disturb the sepulchral quiet of the Scotish queen, or to follow her fame, with fresh calumnies. The popish plot, however, and the exclusion bill, brought out a folio, in 1681; containing a life of the Scotish queen, the old lampoons, the plots of the papists, the trials of Norfolk, and of Arundel, with similar topics of party device, for popular delusion. The Revolution of 1688 called forth, indeed, the *Translation* of Buchanan's History, which seems to have been written, as a voucher, for every revolution of whatever kind, whe-

[t] Ruddiman's *Animadversions on Love's Vindication of Buchanan*, 46-7. Goodall's *Enquiry*, i. 410-11, wherein is published, the genuine testament of the dying queen.

ther vicious, or virtuous, for their grounds, either causeless, or necessary. This History was accompanied, by the *Detectio Mariæ*, which was *now made English*, as if it had never been made English before. The translator thought it necessary, for the reader's better understanding the History, to acquaint him, that James, the *fifth*, having lost his two sons (both in one week) a little before *he was slain at Floddonfield*, left no other heir, but Mary, a child of *four* days old, which he never had seen. This child was accepted; and at five years of age, (the Scots seeing they could make better merchandize of her, in France, than with us, in England,) sent her abroad; and at twelve married her to the Dauphin, afterwards Francis, *the first*, who, at the end of two years, left her a widow; and so she returned to Scotland, where she found her mother weltering, in her cruelties (a Guise) and wasting, and gathering, with all her might. But, of such *balderdash* enough! It was Mary's grandfather, who fell at Floddonfield, in 1513; She was seven days old, when her father James V. died, in December 1542. She married Francis II., not Francis I., who was contemporary with her grandfather. Her mother died, in June 1560: And, Mary returned to her kingdom, in August 1561. The *Detection* was published, at the epoch of 1688, to vilify the living, by offering insults to the dead: But, *the Revolution* required not such ignorance, for its justification.

Yet, was there published, at London, in 1699, "from an original manuscript," a relation of the death of David Rizzi, the chief favourite of Mary queen of Scots; written, by the Lord Ruthven, one of the principal persons concerned, in that action. There were prefixed to this relation some remarkable passages, from Buchanan's History, concerning *Rizzi*. Such were the artifices of that period, to disgrace, by calumny, the almost forgotten name of the Scotish queen! Yet, may it be even now shown, that Lord Ruthven's supposed relation was, merely, one of Cecil's pamphlets, for directing popular indignation to inno-

cent[u] objects. It is written, in the language of Cecil, and not in the speech of Ruthven and Morton. Cecil, who was an accessory to the murder before the fact, seized the occasion, to mitigate the crime, and to convert Darnley into the principal assassin. Cecil thus new-modelled the narrative, and translated the Scotish dialect into intelligible English: And, as the dead never answer questions, Cecil attributed his own work to Lord Ruthven, who died, on the 13th of May 1566[x]. In this manner, then, did Lord Ruthven become an author; and for this narrative of the guilty Cecil, did the late Horace Walpole insert Lord Ruthven in the Catalogue of royal, and noble authors. The whole conspiracy against Rizzio was contrived, by Secretary Maitland, the great manufacturer of *godly plots*, for the relief of the Earl of Murray, and his adherents, from banishment, for a rebellion against Mary's marriage, with Darnley; the Earl of Morton was now the principal actor; and Lord Darnley was drawn in, by their artifices, to concur, in that assassination. Elizabeth, and Cecil, were fully informed, by the previous dispatches of Bedford, and Ran-

[u] Ruthven was dying, when he fled, from Edinburgh, to Berwick, after committing the aggravated assassination of *Rizzio*, and insulting, as well as endangering the queen's person; as we know, from Sir W. Drury's correspondence, from Berwick, with Secretary Cecil. There is, in the Paper Office, a joint letter, from Morton, and Ruthven, dated the 2d of April 1566, to Cecil, with *a draught of their representation of the slaughter of Davy;* containing their desire, "that Cecil would correct it, and send it back; to be circulated, in Scotland, and other places, for staying of false reports."

[x] The time of Ruthven's death is settled, by the *Inquisitio post mortem:* Lord Morton wrote, from Alnwick, to Cecil, on the 16th of May 1566: "My Lord Ruthven is departed, which is no small grief unto us all; and yet the same was so *godly*, that all men who saw it did rejoice." Lord Ruthven left a *godly* son, who was pardoned, by the Scotish queen, for his share, in that murder; and who lived to arrest King James, at *the raid of Ruthven* [rising]; and to be executed, for his treason. Lord Ruthven left, also, a *godly* grandson, who, in attempting to seize King James, in Ruthven-house, at Perth, was slain, during the traitorous act. This *godly* name was abolished, by Parliament.

dolph, with regard to the whole detail of that abominable murder: and protecting the principal actors, in that atrocious scene, Elizabeth, and Cecil, were accessories to the murder, both before, and after the fact: This comes of carrying subtile policy into actual crime.

During the year 1705, Crawfurd, the historiographer, published his ill-fated *Memoirs:* And, in his dedication to the Earl of Glasgow, he says, "Last winter, was published An Account of the Affairs of Scotland; wherein the copier of Buchanan, as an Appendix, presents us with some scraps of *the pretended Detection.*" A living queen, we thus see, was to be vilified, by reviving the lampoons on her entombed progenitor. At the same time, Crawfurd published, anonymously, "A Vindication of Mary, queen of Scots, from the foul aspersions of Buchanan." Considering into whose hands Mary's vindication was to fall, this feeble attempt of Crawfurd might have well been spared: Yet, he observed, from Turner, what will always be remarked, while any zeal, for truth, and law, remains, in the world, that Buchanan was the first, who reduced rebellion to an art, and publickly taught, the lessons of treason, for any conspiracy.

The first reign of a new dynasty was distinguished, by the revival of the antiquated scandals on Mary Steuart. In 1721 was published *an Appendix* to Buchanan's History, with *the Detection*, and the *De Jure*, and a sculpture, by Kirkhall, of *Fame*, blowing those disgraceful lampoons, throughout a deluded world. This gross publication was followed, in 1722, by Bond's Translation of Buchanan's History, with its usual adjuncts of sedition, and libel.

The year 1722 was, also, remarkable, for a discovery, which was somewhat favourable to Mary, as it was highly disgraceful to Elizabeth. It was the publication of Walsingham and Davison's Letters, written, by Elizabeth's direction, to Sir Amias Paulet, the rigid gaoler of the Scotish queen; inciting his zeal, by authority,

to assassinate the hated Mary[y]: And, to those was appended what was more disgraceful to Elizabeth, Davison's apology, for advising the English queen, to follow the legal judgement, by avoiding secret practice. When it was once proved, by such publications, that Elizabeth was very capable of deliberate assassination, it was in vain, for historians to tell us that, as a woman, Elizabeth had no chastity, as a princess, no honour, as a sovereign, no faith. After Mary had fallen, under her murderous axe, Paulet was sent to govern Jersey-isle, by the wisdom of Cecil, where he might be out of the way of gossip, and where he practised every mode of oppression[z].

The passion, for such publications, was now roused. In 1725, Jebb gave his Life of Mary, from the *records*, to which he appended Walsingham and Davison's letters, before mentioned, with the apology of Davison, which all exhibit a striking picture of Elizabeth's merciless spirit: But, he does not vindicate Mary; as he admits one half of the lies, and lampoons, of Buchanan, which Spotiswoode had done, before him; as so many indubitable truths.

[y] It is curious to enquire, when, and by what means, such a discovery was made, that was propagated with uncommon perseverance. In 1722, Doctor George Mackenzie (not Sir George Mackenzie, as the late Lord Orford has it,) published the third volume of his *Lives*, wherein, he published those instructive letters, which exposed the heart of Elizabeth; and which had been copied for him, from the MS., by Urry, who is still remembered, for his *Chaucer*. Hearne, who published his Robert of Glocester, in 1724, printed, in his Glossary, 671, the same letters of Walsingham, and Davison, which had been copied, by his friend, in 1717, from *Paulet's Letter-book*. The Oxford Antiquary printed, in the same Glossary, where no one would have expected to find such documents, some other epistles of Elizabeth; her letter to Denmark, soliciting the delivery of Bothwell, and another, dated on Palm Sunday, 1572, wherein she said, "that the queen of Scots head should never be quiet;" so restless was the English queen's malignity! Thus far Hearne! But, Paulet's letters were not quite new: For, there had been published, in 1681, a letter of the same queen to Paulet, which incited him to mischief; and in which she called her hated rival "*a wicked murtheress*:" When such expressions escaped, from Elizabeth, it was lucky, that the dagger, or the bowl, was kept out of her reach!

[z] See the Barrister Allen's speech, in Defence of the Franchises of the People of Jersey, 18.

In 1725, Jebb published the *Vita et Rebus Gestis Mariæ*, in two folio volumes; being a collection of all the Treatises, that had been published, abroad, with regard to the Scotish queen. But, as they did not meet Cecil, and Buchanan, face to face, they came not up to a vindication of her innocence. There now followed, without any useful information, two additional Lives of Mary, by Heywood, in 1725, and Freebairn, in 1727, which appear to have been mere translations, from the French, with the frivolity of such trifles. Anderson was now busy, in making his *voluminous collections*, with the hope of burying truth, and innocence, under the vile rubbish of scandal, and disingenuity, by which, with so much art, and ability, he attempted to disgrace the Scotish queen, for ever: Anderson published his four volumes of Misrepresentations, and Concealment, in 1727 and 1728, which, as their insidiousness was soon detected, were sold, as waste paper; leaving the Editor ruined, in his character, and injured in his property. Coincident, with all those *lives* and *collections*, were published, in 1726, "The genuine letters of Mary, queen of Scots, to James, Earl Bothwell, by Edward Simmons;" to which was appended an abstract of her life. During the same year, there appeared of this wretched work, a second edition, or rather, a new title page of such exploded epistles. No one ever supposed those *genuine letters* to be true, but the late Horace Walpole, Lord Orford, who confounded them, with the real forgeries, which Goodall published, and exposed, in 1754: Thus it is, for such a character, to suppose, that he knows every thing; with a strong propensity to detraction; for levelling the high, rather than raising the low.

Meantime, there appears to have arisen, at Edinburgh, a sort of society, which arose, probably from the accession of a new dynasty, and the adverse rebellion of 1715; and which had, for its principal objects, the supporting of Buchanan's credit, and vilifying the Scotish queen. This society continued even down to our own times, without acquiring any fame, by its performances. It was,

perhaps, owing to the incitements of that society, that Anderson published his *Collections*, and Goodall his *Examination* of the letters, attributed to Mary. Goodall did much, in showing that, those letters were forgeries. He proved, by six different topicks, that those letters were written, originally, in the *Scotish* language, and that the French letters, which were produced, by Murray, and Morton, in England, were only *a translation*, from a Latin translation of the original forgeries, in the Scotish. The several changes in the languages, in which those letters appeared, at different times, and places, have been invariably deemed, by the ablest critics, as the surest proofs of their spurious nature[a]: those notorious epistles, thus continually changed, in their language, in their form, in their subscription, and their superscription, have been wittily compared to Sir John Cutler's stockings, which had been so often dearned, as to leave not a shred of the original texture. Goodall, chiefly, failed, in his attempt to show, that Bothwell was *not concerned*, in the death of Darnley: The fact had been far more important, to prove that he was one of Murray's conspiracy, and a complotter with Morton, and Maitland, in accomplishing the king's murder: Goodall's second volume, alone, contains a greater number of instructive documents, than the four quartos of Anderson's disingenuous collections.

Doctor Robertson was now busy on his History of Scotland, which was ushered into the expecting world, on the 1st of February 1759, by so many means. Far from acquiescing in Goodall's proofs of forgery, the historian appended to his work *a Dissertation*, in direct contradiction to the inferences of the preceding *Examiner*. "In order to account for the king's murder," says the historian, "two different systems have been formed. The

[a] The immediate object of showing what cannot be doubted, that the supposititious letters of Mary, were, originally, forged, in the Scotish; yet, were produced, as evidence, in French, and in this form sworn to, as the genuine originals, by the Scotish Commissioners; was to prove the falshood, and perjury of those fraudful wretches.

one supposes Bothwell to have contrived, and executed, this crime: The other imputes it to the Earls of Murray, Morton, and their party." To suppose two systems is a very convenient mode of writing such a *Dissertation;* as it is easy to find arguments, for both the suppositions: But, the question will always recur, what is the truth, without regarding either system. A view of Scotish affairs, and Scotish party, at that period, shows, with sufficient clearness, that Bothwell, even with the concert of the queen, could not have contrived, and executed, the king's murder, without being, immediately, detected, and punished. Such a plot could not have been contrived, and executed, without the concurrence of Murray, whose faction was paramount, and whose partisans were the ruling officers of state, and possessed the secret of government: Hence, it follows, that the king's murder was contrived, and executed, by a conspiracy of nobles, at the head of which was Murray virtually: the contriver of this plot was Secretary Maitland; the chief support of the whole was the Earl of Morton; and Bothwell, who was made the *cats-paw*, was, like other such characters, pushed the most forward of the conspirators, in committing the murder. The real conspirators had three objects; (1) To take off Darnley, whom they all abhorred; (2) to ruin Bothwell, whose enemies, the chiefs had always been; (3) to dethrone the queen, by marrying her to Bothwell; in order to let Murray into the vice-regal chair: since he was precluded, by the birth of James, from having the crown.

To show the fact, as it occurred, independent of all system, is so very important, that the certainty of a conspiracy cannot be too strongly proved, or too often repeated. After Morton received his pardon, for the murder of Rizzio, he came from Berwick to Whittingham, in Hadingtonshire, soon after the 10th of January 1567: About the 20th of the same month, he was visited, by Bothwell, and Maitland: And, the object of this meeting of three such characters, undoubtedly, was, to concert the murder of Darnley. The State-papers evince the fact of that meeting, at Whittingham: The

dying confession of Morton avows what Archibald Douglas's letter confirms, that the purpose of that meeting was, to concert the king's murder. Now; three persons meeting to concert a murder is the legitimate definition of a conspiracy. Bothwell, Maitland, and Morton, were all, in succession, convicted of this murder: The *Acta Parliamentorum* are the records of their convictions, and guilt; Murray, as the principal conspirator, and as the chief gainer, by its result, in the queen's dethronement, was, virtually, guilty of the same crime[b]. Robertson, then, declaims, in vain, concerning *two systems*, in which Bothwell is separated, from Morton, and Maitland, and Murray: But, the documents prove, beyond a doubt, the positive conspiracy of Morton, Bothwell, and Maitland, for the murder of Darnley; and the sophistry of Robertson consists, in separating Bothwell from the other conspirators, contrary to the fact: Now, the Dissertator thus sets out, in falshood, and necessarily concludes in error. The conspirators, Morton, Bothwell, and Maitland, with Murray, as virtual chief, continued to operate, till Bothwell married the queen, by force, and fraud, with the active aid of the same conspirators, as the promised reward of his crime: Bothwell and the queen were married, on the 24th of May 1567: And, on the 10th of June, Morton, the conspirator, drew his sword against them, which ended in his expulsion, and her dethronement, for Murray's benefit. Robertson, therefore, fails, egregiously, in his *two systems*, which become ridiculous, when those incontrovertible proofs are considered, which demonstrate *one conspiracy*, only, whereof Bothwell, merely, acted as the *cat's-paw;* and whereof he was made, by matchless artifice, and bare-faced audacity, the victim.

A question now arises, which is as absurd, and as ridiculous, as Robertson's *two systems;* whether the queen was a party to that

[b] See before the details, and proofs, of that conspiracy, and those convictions, p. 24-32. The very indictment of Morton charges him with *conspiring*, and *consulting* together with Bothwell, and others, the king's murder. Arnot's *Crim. Trials, App.* No. v.

conspiracy, of which she was the victim, or knew of the intention of the conspirators, to murder her husband, *before* the act committed, though her dethronement was the great object of the plot, her marriage being merely a means. Robertson thought, and said, that she was a party: I think, and say, *that she was not*: And, we are at issue joined upon that question.

Elizabeth was so unfeeling, and irrational, as to attempt the assassination of the queen of Scots, who had been condemned, on proceedings at law, under an act of Parliament: And Robertson is so unfeeling, and absurd, as to insist, that the same queen was so weak, and wicked, as to involve herself in a conspiracy, for the murder of her husband, though she might have had his life, by convicting him of treason, against her, at the assassination of Rizzio, within her palace, and in her presence, only a little twelvemonth before. I shall first examine Robertson's proofs of Mary's guilt; and then produce my own, of her innocence, though the point is already decided.

I. No sooner, says he, was the death of Darnley known, than strong suspicions, immediately, arose, among some of her subjects, that Mary had given her consent to the commission of the crime. Yes; The conspirators themselves, in order to effect their purposes, gave out, that Bothwell was the guilty noble: And they began to throw out the net, in which they ultimately ensnared the queen. The Clergy, also, propagated their calumnies. Even the sentiments of foreigners, he adds, were no less unfavourable to her, on this occasion: Yes; Secretary Cecil, in his letters to the English ambassador, at Paris, was the guilty calumniator, who propagated such scandals, in foreign parts[c]. *Many of her* nobles accused her of that crime: And many nobles declared her innocence[d]. But, when Morton, and five other guilty persons, dethroned Mary, on the 15th of June 1567, and sent her to Lochleven-castle; They did not so accuse her; nor, had they any thing,

[c] The Cabala is the record of his guilt.

[d] Goodall, ii. *App.* No. 139.

to lay to her charge, that would even raise a suspicion against her. If Robertson allude to the charges brought against Mary, before the Privy Council, on the 4th of December 1567, and before the Parliament, during the same month; the last record would prove the first to be a fraudulent nullity. The forgeries introduced, on that occasion, by the accusers of Mary, evince, that the guilt was in them, and not in her. If Robertson mean, by his speaking of many nobles accusing the queen, the accusation of Murray, and Morton, at the prejudiced court of England, it must be acknowledged, that they accused her; and that the very men, who murdered her husband, brought a cart-load of forgeries, to prove their charge. But they failed, because, as I have shown, they could not prove innocence guilty; nor convert guilt into innocence: Morton, one of those, who made the charge then, was afterwards brought to the block, as one of the murderers: Maitland, who was the contriver of the conspiracy, and then attended, in aid of Murray, was also convicted, and punished, for murdering Darnley. There was a still greater convention of nobles, and prelates, who assembled, at Dunbarton, in September 1568, who avowed the queen's innocence; as we have seen. Robertson was so absurd, as to think, that suspicions, and charges, were to establish the queen's guilt: But, *suspicions*, and *charges, are not proofs.* And, since he has no proofs, he is reduced to the necessity of having recourse to a concurring series of circumstances, as being equal, according to his logick, to the testimony of record.

2. The historian has now recourse to what he calls his *circumstantial proofs.* The misconduct of Darnley converted the queen's love into *aversion:* But, is his assumption true? This writer is so little acquainted with life, that he mistakes the *miffs* of marriage, for the *aversion* of the wife from the husband: and the historian appears not to have been acquainted with the old axiom, which, age after age, is more and more confirmed, that *the falling out of lovers is only the renewment of love.* When Darnley came to Holyrood-house, at Michaelmass 1566, the epoch of the conspi-

racy, and refused to enter the Palace; as Murray, Maitland, and others, whom he hated were then within it, the queen went out to receive him, carried him up to her private apartments, and took him to her bosom, and bed: according to Robertson's theory, this affectionate conduct of the queen is a proof of her aversion from Darnley. When Mary lay dangerously ill, at Jedburgh, in October 1566, the coldness, and neglect, of Darnley, aggravated the queen's sorrow, and vexation, according to his theory: Yet, when Maitland, Murray, and Bothwell, in November following, within Craigmillar-castle, proposed to free her, from her husband, by a divorce, she positively dissented; saying that he would probably see, and amend the evil of his ways; and when they urged her to assent, she commanded them to do nothing, that would injure her issue, or stain her own honour. Here, then, are circumstances, which, according to Robertson's system, evince strongly her aversion from her husband. He vexed her still more, during the subsequent month, at the baptism of their son; and she was so sickened at heart, by his absurd misconduct, before so many envoys from abroad, that she threw herself on her bed, and weeped bitterly; as we know, from the aged Le Croque, the French ambassador: and departing, without taking leave of her, to visit his father at Glasgow, he aggravated her vexation: Yet, the moment, that she heard, that he had received the *small pox*, in that infected town, she sent her own physician, to take care of the husband, whom, Robertson supposes, she abhorred, and murdered. If Robertson had known these important facts, he would have added such facts to the concatenation of his circumstances, for proving the queen's aversion from Darnley. The sick bed, and the physician, seem to have mollified the mulish spirit of Darnley; and the queen, and her husband, actually, agreed to live together, according to the matrimonial mode, assoon, as he *could stand the cold air*, to take his journey to Edinburgh: The historian, however, as far as he acquiesced, in the truth of their reconcilement, regarded these circumstances, as proving an aversion, from each

other. Actuated, partly, by ignorance, probably, more by prejudice, the historian presumed to blame the levity of the queen, in not going herself to Glasgow, but sending her physician: without knowing, that Darnley had an infectious disease, and that the queen, having an infant to preserve, would have acted very imprudently, to have risqued, both, her husband, and her son: And Robertson still harps upon her levity, her coldness, and her aversion. The queen, however, with the advice, and aid, of her physician, brought her husband to the house, in *Kirkafield*, at the southern suburb of Edinburgh, which had been prepared, as an infirmary: Here, she often visited her husband, and sometimes sleeped, in the same house, though not in the same room. The theory of Robertson, induces him, however, to consider these circumstances, as so many proofs of her aversion from her husband, and, also, of her knowledge of the conspirators' purpose to take off the object of her attachment. There is one other circumstance, which completes Robertson's circumstantial proofs, of the queen's aversion from her husband: In the night, wherein he was murdered, the queen spent the evening with him: But, being obliged to attend an entertainment, to celebrate the marriage of one of her women, at taking leave of Darnley, she kissed him, and gave him a ring, from her finger: These, then, are the last proofs, which she could give her husband of her affection, as I think, or of her aversion, as the historian infers. Robertson, plainly, did not know,

> "——What anxious moments pass between
> The birth of plots, and their last fatal periods!
> O 'tis a dreadful interval of time,
> Made up of horrors all, and big with death!"

And, at such a moment, did Mary give Darnley, a kiss, and ring, as emblems of her hate! From all those intimations, Robertson adds this conclusion of his circumstantial proofs: "In proportion to the increase of Mary's *hatred* of her husband, Bothwell made progress in her favour; and that he became the object not only

of her confidence, but of her attachment." I have already shown that the foundation of this theory, which gives Bothwell, the conspirator, influence over Mary, is absurd, in its principle, but, unfounded in its examples. Bothwell's influence began, according to his theory, at the same moment, that the queen retired into Edinburgh-castle, preparatory to her *accouchement*. The ignorance of this writer was not aware, that this measure of advising the queen to choose the Castle, as the safest place, for her confinement, was but a fresh plot of Murray; to gain possession of this commanding stronghold, in case of the queen's demise. This measure evinces, that he had complete power over the queen's person, and spirit, without a rival. And, when Huntley, and *Bothwell*, applied to the queen, for leave to sleep, in the Castle, they were expressly refused: But, by whose influence? The answer must be, By Murray's. And, Bothwell was soon after sent, out of the way, to the borders, on the pretence of watching Morton's movements, on such an occasion: It was obviously the superior influence of Murray, that operated on both those occasions. When the queen went to Alloa-house, after her convalescence, as a voyage of amusement, and health, there occurred, in Mary's presence, an altercation, between Murray, and Bothwell, about Secretary Maitland's pardon, when the influence of Murray prevailed. The historian is, equally, unfounded in his other instances of Bothwell's influence[e]. But, he is not more unfounded, in those examples, than he was, in supposing that he had shown an increase of Mary's hatred of her husband; when the fact appears

[e] We have already seen, that when a proposal was made, at Craigmillar-castle, by Murray and Maitland, for the divorce of Darnley from the queen, Bothwell used, in vain, whatever influence, he possessed. While the historian was thus diligent in rearing a great fabrick upon the influence of Bothwell over Mary, the writer forgets, or, perhaps, never knew, that from Michaelmas 1566, Bothwell was gained, by Murray, to act as one of the conspirators against Darnley; and that Bothwell was much more active, as a plotter, than he was, as a paramour. Yes; Bothwell murdered the king; but, it was, as we have seen, not as a paramour of Mary, but as a conspirator, with Murray; as the catspaw of Murray, Morton, and Maitland.

to have been, that her attentions were constantly occupied, in reclaiming her husband to his duty. And the historian goes on to infer, from the most groundless circumstances, that Bothwell became the object, not only of her confidence, but her attachment, which ended, in her marrying him. Yes; the marriage of the queen to Bothwell was the reward, which was constantly held up to his deluded eyes, by the conspirators. We have seen, at the Parliament of April 1567, an association proposed and executed, by the leading conspirators, for defending Bothwell's innocence; and for recommending him, as the fittest husband for the queen: We have perceived Bothwell, in consequence of that association, seize the queen's person, on the road, from Stirling, to Edinburgh; carry her, forcibly, to Dumbar-castle; and there coerce her, till she agreed to marry him: For these criminal acts against the queen's person, the Parliament of December 1567 attainted this guilty noble, as we have seen. From the epoch of the conspiracy, the marriage of the queen to the murderer of her husband, was constantly deemed, by the conspirators, as the chief means of her ruin. The conspirators accomplished this marriage, by fraud, and force. And, the historian is so absurd, as to consider coercion, and consent, as the same, in import: So that, in his contemplation, a forced, and a free, marriage are equal, in guilt.

The great object of the historian, in converting the queen's *confidence* in Bothwell to *attachment*, was to show, that the queen's marriage was the result of that attachment: But, the attainder of Parliament, who knew nothing of any attachment, or confidence, went, wholly, upon the notorious facts of his violent seizure of her person, of his forcible abduction, which they called a *ravishment*, and of an *enforced* marriage, as the treasonous result of the whole[f]: The system of the historian, then, was alto-

[f] The act of the Privy Council, 21st July 1567, with Morton, at the head of it, asserts the same three facts against Bothwell; and declares, that he constrained the queen, "being in his bondage and thraldom," to contract an ungodly marriage with him. Anderson's *Coll.* i. 142.

gether founded, in supposition. The judgement of the Privy Council, and of Parliament, was entirely founded upon indubitable facts.

The historian dwells much upon the steps, which the queen took, after her husband's death, as adding strength to that supposition. He presumes, with his usual facility, what he cannot prove, that the practice, as well as the theory of the Government, was in the queen: Her name was, formally, used: But, the whole was in her ministers, with Murray, as her minion, though without any office; and the public business was almost wholly conducted, by the chief projector of the conspiracy, Secretary Maitland, and the complotter Morton, two of the conspirators, with Bothwell. If to these circumstances, and truths, the historian had adverted, he would not have gone into so long a detail, to prove, that she ought to have adopted the most vigorous proceedings against Bothwell, who possessed a declaration, in writing, from the conspirators, that they would save him harmless, whatever Lennox, could advise, or the queen could do. The remissness, then, was not in the queen, but, in the conspirators, who possessed her government. If history be written, from the theory of what ought to be, rather than from the practice of business, as it was done, the narrative may delude, but cannot instruct.

Instead of acting, when Mary could not act against the powerful influence of Murray, Robertson continues to "discover, in all her actions, the utmost partiality towards Bothwell." "Five days, after the murder," continues he, "she bestowed upon him the reversion of the superiority of the town of Leith." When this grant is admitted to be true, what does it prove? Nothing: The historian did not know, that in the practice of business, during an interested age, none of the casualties of the Crown, were ever disposed of, without a contest: In the southern shires, the competition, between Bothwell, and Secretary Maitland, for the grant, was very keen, and, usually, occasioned ill-will, between the competitors. If Bothwell had not been now a conspirator, with those in power,

he could not have obtained this grant. Murray, and Maitland, and Morton, knowing the short period of Bothwell's destiny, would not contest with him what he asked: Bothwell was a guest, at Murray's table, during the last dinner, which he gave, before he set out for France, on the 9th of April, two months after the murder. The next grant of Mary to Bothwell is said by Robertson, to have been the command of the Castle of Edinburgh: But, as the grant appears not in the records, we may doubt the historian's assertion, even with the aid of the authorities, which he quotes: Such a grant was never made to Bothwell: and Cockburn of Skirling, immediately, succeeded Erskine of Marr; as we know from record. The *third* point of the historian is the *remissness*, with which the murderers were sought for, previous to Bothwell's trial: Morton, and Maitland, knew the murderers, perfectly, as they themselves were guilty: And Morton, and Maitland, were the two able, and audacious men, who, with the concurrence of Murray, protected Bothwell, both before, and after, his delusive trial, till his marriage with the queen, when his contract with the conspirators ended. But, what had the queen to do with all this? She knew nothing of the conspiracy, before her ill-fated marriage; and if she had known it, neither could she then contend, with Murray's faction[g]. The historian returns, again, and again, and again, to the queen's remissness, about the trial: She only acted, like every other sovereign, by the instrumentality of her ministers; and they, on this occasion, were the murderers: But of which she knew nothing; and which is the very point to be proved. "Two days *after* the trial, in which he was acquitted," says the historian, "Sixthly, Mary gave a public proof of her regard for Bothwell, by

[g] See Drury's Letter to Cecil, 15th April 1567, giving an account of Bothwell's trial, which Elizabeth endeavoured to prevent: See particularly, how Maitland intercepted Elizabeth's purpose; and pretended, that his mistress was asleep, when the English messenger arrived, at Holyrood-house. *App.* to Bothwell's *Mem.* No. i. The protection of Bothwell, by Maitland, was, *before* the trial, as assiduous, as the protection of Morton, in court, was audacious, as we know from Camden.

appointing him to carry the sword before her to Parliament:" But, was it the queen, or Maitland, who placed the sword, in Bothwell's hands? Was not this done by the conspirators, as a proof of his innocence? Was it not done by them, to facilitate the obtaining of the bond, from the nobles, and prelates, in Bothwell's favour? Was it not done, by them, to promote their measure of marrying the queen to Bothwell? Yes: The historian seems to have thought, that by collecting a great many frivolous circumstances into a series, they would amount to circumstantial proof: Before Bothwell's marriage, he was so ably, and artfully, protected, by Murray's faction, that it is quite absurd, to attribute that protection to the queen, personally. "In that Parliament," says the historian, "Seventhly, *she* granted Bothwell a ratification of all the *vast possessions*, and *honours*, which she had conferred upon him, in which was contained an ample enumeration of all the services, he had performed:" If Robertson had looked into the accurate record of Parliament, instead of the impure pages of Anderson, he would have seen acts of ratification, by the same Parliament of April 1567, to Murray, Morton, and to many others, as it was a healing Parliament: But, those *acts of ratification* were all drawn, by the Lords of the Articles, and not by the queen, who knew nothing of their contents: As to *the vast possessions*, and *honours*, which, the historian says, the queen had conferred; I would rather remark, that the historian was grossly imposed upon, by Anderson, than that he was, egregiously, ignorant of the fact: The queen never gave *vast possessions*, and *honours*, to Bothwell[b]: He enjoyed them, by descent, from his father, and grandfather, and great-grandfather. The historian perseveres, in enumerating what he supposes to be proofs against the queen, *even after* she had been coerced to consent to marry him: He tells a story of Sir James Melville, advising Mary not to marry Bothwell, even after she had been obliged to agree to marry him by force: The histo-

[b] See a dissertation on that point, in the *App.* No. ii. to Bothwell's *Memoir.*

rian forgets to tell, that Secretary Maitland reprehended Melvill, for his advice; as it operated against the purpose of the conspirators. It was Secretary Maitland, who was present with her, in Dunbar-castle, for the very purpose of giving her bad advice, who rated Melville, for his impertinence, and not Bothwell. The historian ought to have known, that Melvill's Memoirs ought to be quoted, cautiously; as it is greatly interpolated. The historian speaks, ninthly, of the seizure of the queen, by Bothwell, which he supposes to have been done, with the queen's own knowledge, and consent: Whatever may have been his authority, whether the forged letters, or any lie of the conspirators, the Privy Council Register, and the Parliamentary Record, containing the attainder of Bothwell, for his treasonous conduct, contradicts the historian, and his obscure authorities; by considering the seizure, as traitorous, and the abduction, as forcible[1], and the marriage, as coerced. After the queen was obliged to consent to an enforced marriage, as we learn from Parliament, and not from supposititious manuscripts, it is vain, for Robertson, to collect instances, to show, that the queen was obliged to put the best colour on matters of necessity, which she could not avow, with regard to her intended marriage: The necessity, which drives, must defend: But, he brings no circumstance, after all his researches, which tends to prove her previous knowledge of the murder of her husband, which was the very point to be proved; because she was innocent; and innocence cannot be convicted of guilt.

The historian, at length, goes into various events, which occurred, after the queen had surrendered to the insurgent nobles, who were commanded, by Morton, one of the king's murderers; after she had quitted Bothwell, and was dethroned; and after her

[1] One of the supposititious letters, No. viii. in Goodall, ii. 41. was written to apply to this very point of the abduction; in order to prove, that she previously knew of Bothwell's design: But, the act of Privy Council, and the act of Parliament, contradict this letter so strongly, as to evince *its forgery;* and *the forgery* of one of the letters evinces the forgery of all.

imprisonment in Lochleven-castle, by Morton, and six other conspirators, who had no charge against her: And though the queen was reduced to great embarrassments; yet the historian cannot prove, that she had any previous knowledge of the murder of her husband: How could Robertson engage to prove this fact, when Morton, and his guilty associates, could make out no charge against her; and were hard pressed, for justification of themselves, from a charge of rebellious insurrection: Morton, and his guilty colleagues, were thereby obliged to rely on forged epistles; which they did not find: And Robertson, following their example; as he could not make out any charge against the queen, was constrained, after his long enumeration of circumstances, to confine his inference against the object of his prejudice to this mitigated conclusion, that her conduct could not be more repugnant to all the maxims of prudence and decency; inasmuch as, she married one of the murderers of her husband, by coercion, which she could not resist: This circumstance is a charge against the conspirators, but not against the queen: This *coercion* was one of the points of treason, for which the Parliament attainted Bothwell; yet, wherein consists the imprudence, or the indecency of any woman, who is obliged to submit to the violence of a ruffian, which she cannot resist? wherein is the imprudence, or indecency of a woman, who is thus driven, by necessity, refusing to be divorced, from an enforced marriage, if she should think, that such a divorce would bastardize her issue? The whole turns upon points of female delicacy, of which the historian seems, from his decision, above-mentioned, after failing to prove her guilt, to have been but an incompetent judge.

But, perhaps, he will be more lucky, when he comes to apply his positive evidence, arising from written documents, which he classes under two heads. The first documents are *Paris's Depositions*. "They are remarkable," says he, "for a simplicity, and *naïveté*, which it is almost impossible to imitate; they abound with a number of minute facts, and particularities, which the most

dexterous forger could not easily have assembled, and connected together." And yet those Depositions were undoubtedly forgeries, from Murray's mintage. I have already taken Buchanan, and Wood, in the very act of forging them, in Murray's Castle; and have shown Murray, and Cecil, basely, playing into one another's hands; in order to impose the fraudulent deception on the credulity of mankind. And we now perceive what deceptions are played off, by statesmen, and historians, to delude the world, and calumniate a queen. Robertson has now recourse, as his second head of written documents, to the notorious letters, from Glasgow, and other places, which had been attributed, by the same knaves, to the Scotish queen; and which the historian reechoed by the prejudiced voice of delusive history. It was upon those supposititious letters, and artful management, that Murray's faction dethroned the queen, and criminated innocence. Robertson first deludes himself, and, secondly, deludes a confiding world, by the most palpable forgeries. But, who would follow such a devious course of disquisition, to demonstrate letters to be forgeries, the very discovery whereof, with the correlative circumstances, evinces them clearly to have been the abominable work of a faction, which were in the daily habit of such disgraceful works. Yes; Goodall, Tytler, and above all, Whitaker, have shown, by every proof, that ever detected forgery, those notorious epistles to be self-convicted fabrications.

After bringing such proofs, as cannot be resisted, that the queen's husband was murdered, by a conspiracy of nobles, particularly, of Morton, Bothwell, and Maitland, and their subordinates, who were all punished, for this traitorous offence, nothing remained, for enquiry, I submit but the question, whether the queen knew, of the purpose of that faction to murder Darnley, before the fact committed. To prove, that she did know, and that she did consent, Robertson undertook, by a formal dissertation, to evince: But, after a very long enumeration of circumstances, he was obliged to restrict his probation, to imprudence, and indecency: The Dis-

sertator, having thus failed, had recourse to written documents, and immediately involved his disquisitions in the darkness, and disgrace, of the adoption of forgeries, and ignorance of facts.

Such, then, is the complete failure of Robertson's proofs of the queen's guilty knowledge of her husband's murder! He failed; because it is impossible to convict innocence of guilt. After such a failure, by such a writer, it is time to submit to the reader's judgement proofs of her innocence, with regard to the king's murder.

1. The fundamental proof is, that this odious crime, attended by the basest circumstances, was committed, by a conspiracy of nobles, of whom the most conspicuous actors were, Morton, Bothwell, and Maitland. These three notorious characters, acting with Murray's concurrence, and for his benefit, met, at Whittingham, about the 20th of January 1566-7 to concert the death of Darnley[k]: And, these three conspirators, at Whittingham were successively, convicted of his murder. These facts, have been already proved, beyond the power of controversy. Those three conspirators, Morton, Bothwell, and Maitland, were guilty of the king's murder; because they were convicted of the crime, by the judgement of Parliament: and the public records are the proper evidences of their several convictions[l].

---

[k] Sir Wm. Drury's letter to Cecil of the 23d of January 1566-7, proves, that Bothwell, and Maitland, came to Whittingham, a few days before, to visit Morton: Archibald Douglas's letter proves the same fact: And Morton confessed on the block, that the object of the visit was to concert the murder of Darnley. Archibald Douglas, who was then present, at Whittingham, attests the same point. Robertson's *Dissertation*, ii. 320; Bannatyne's *Journal*, 494. The indictment of Morton, in Arnot's *Crim. Trials*, attests the same fact of such a conspiracy.

[l] See the *Acta Parliamentorum*, v. iii. p. 4, 137, 227, 304: Now; taking the proofs of the conspiracy, together with the records of their several convictions, and no one can doubt, whether they were not the murderers of the king. If the queen had made good this accusation, says Tytler [Part ii. ch. i.], that the accusers themselves, Murray, Morton, and Maitland, had been in the conspiracy of the king's murder: [This has been now clearly proved:] Then, she herself could not have been in that conspiracy, or guilty of the murder. This, he adds, I take to be consistent with com-

But, what evidence is there of the queen's guilt? The answer must be, that there is none; though there be satisfactory evidence of her manifold wrongs, in the murder of her husband.

2. But, how came the queen's name to be implicated; since it is never mentioned, in the convictions of the real murderers of her husband? It is quite apparent, that the queen was included, in the fate of Darnley; as the conspiracy was, originally, detailed, by Secretary Maitland, and approved, by Murray. Bothwell, as a man hated, by Maitland, and Murray, was drawn into this conspiracy, by Murray, at Michaelmas 1566: And, from this epoch, he acted, as a conspirator, against the king, and queen; but, not as a paramour of the queen, which is a very different character. Bothwell was induced to act, as a conspirator, by their offering to his ambition the high rewards; in filling the place of the murdered Darnley, by marrying the queen, and enjoying with her, a participation of the government; yet, was it always understood, by the principal conspirators, that having accomplished all this, he should be expelled; and she dethroned. When the queen visited Bothwell, in the subsequent month of October, at Hermitage-castle, Bothwell had been then engaged, as a conspirator, but, not as a paramour: Yet, she was not aware of any plot, either against her husband, or herself: And, she was, therefore, innocent. The next step of this nefarious transaction was taken, at the end of the subsequent November, in Craigmillar-castle, by the con-

---

mon sense, and reason. And, he subjoins, in a note: Dr. Robertson uses the very same argument, in his vindication of the Earl of Murray, *Dissert.* p. 4. I have, virtually, concurred, in this observation, by showing, that the queen was the *victim* of the conspiracy. Robertson failed egregiously, in supposing Bothwell, to have acted, *separately*, from Morton, and Maitland: He says, this is probable in itself, is consistent, and solves appearances. [*Dissert.* 318.] I hold this system, considering the then state of the government, to have been quite impossible. Bothwell would have been immediately detected, and punished. But, acting with Murray's friends he was protected, by them, till they married him to the queen; and thereby implicated her in his fate: Then they made him the scape-goat: and dethroned her. These are the facts; and it is in vain, for Robertson, to reason against them.

spirators, all, except Morton, who was still expatriated, in England, though he was informed of the plot, which comprehended his own pardon. It was, then, and there, that Maitland, in the presence of Murray, with the concurrence of Bothwell, proposed to the queen a divorce, from her wayward husband, which she refused; which she prohibited. Here, then, is evidence of her innocence, but, of the guilt of Bothwell, in acting with Maitland, and Murray, in this atrocious conspiracy[m]. There is sufficient evidence, that then, and there, this plot was finally settled in its details; and that bonds of indemnity were executed, in favour of Bothwell; saving him harmless, from the guilt of Darnley's death; and ensuring to him the queen's marriage[n]: Herein, we see the guilt of the conspirators; while there is nothing, to impeach the innocence of the queen. Bothwell was now, plainly, pushed forward, as the catspaw of the conspirators; as he was to be indemnified, and rewarded, by the fulfilment of the contract; and, yet, she was innocent, as she had been coerced, and had no privity.

3. The reign of Mary was a period of conspiracies, of which the queen, either in her rights, or her person, was the victim. Morton, and Murray, and Maitland, were plotters, from their infancy to their age. The most abominable of all those conspiracies was the assassination of Rizzio, in her closet, in her presence; Darnley leading the assassins. This plot was so far like the conspiracy of Craigmillar, that there were writings executed, by the conspirators; detailing the objects, and the ends of the plot. Darnley, and his father, were two of the principal conspirators, and were to be rewarded, with the queen's sceptre, which Murray's faction was to transfer to Darnley: The expatriated Murray was, by those odious means, to be restored; and for him, on that occasion, acted Morton, the Chancellor, and Maitland, the Secretary. Rizzio was assassinated; and Murray was restored: But, Darnley was made the *scape-goat*. He, and his father, had committed treason

[m] Goodall, ii. 317, 321. [n] Arnot's *Crim. Trials; App.* No. iv.

against the queen: Yet, did she ever criminate either? No. She only wished to reclaim her husband, who was irreclaimable: She wished, like other wives, to forget, and forgive: His duty, and his safety, consisted, in grappling her to his heart, with hooks of steel. But, he estranged himself, from court, and from her. At the very moment, when Murray, and his faction, condemned Darnley to the bowstring; his wife took him to her bosom, and her bed. Who would require proofs of their guilt, and of her innocence!

4. The next great scene of Darnley's waywardness, and of the queen's attention, was the baptism of their son, in December 1566. He acted the simpleton; and she, like a woman, who wished to please, and a queen, who knew the world. Murray, and the conspirators, with the aid of Elizabeth, and Cecil, obtained, from the queen, on that occasion, the pardon of the murderous Morton, with his guilty associates. She was overpowered, by such a concurrence of interests: Darnley alone opposed this act of grace; and avowed his indignation, by departing from the court, without taking leave, to Glasgow, where the small pox prevailed; and where he was, immediately, infected. The queen no sooner heard of this misfortune, than she sent her own physician, to care for him°. We here see the wife, forgetting her vexations, in her fond attention to a perverse husband. Amidst his illness, and perversity, he seems to have felt the queen's goodness to him. He desired to live with her, as a husband, if she would remove him to Edinburgh. The physician, no doubt, was the agent of

° Here is what I hold to be a clear proof of the long letter from Glasgow, Goodall, ii. p. 1-29: Every one at that town knew, that Darnley had *the small pox;* Darnley knew what disease he had; the physician knew, that the disease was the small pox; the queen knew, that her husband had been taken ill with the *small pox*, in Glasgow: Now; the forger of that letter makes the king, and queen, speak, and write, in this manner: "He declared unto me his sickness, and that he would make no testament, but only leave all things to me; and that I was the cause of his malady, because of the regret, that he had, that I was so strange unto him.". [*Ib.* 5-6.] Here, then, is an allusion to a disease of the mind, not of the body: But, they both knew, that he had the *small pox:* and thus did the forger make the queen write *nonsense.*

their several communications. The king, and queen, became thus reconciled to each other: And, she brought her husband to a house, which was fitted up, as an infirmary, in the southern suburbs of Edinburgh, *as soon as he could bear the cold air.* In all those attentions of Mary to her husband, can suspicion discover any appearance of guilt? If she had wished to dispatch her vexatious husband, neither design, nor accident, could have furnished a finer opportunity, than his sickness, at Glasgow, while her own physician attended upon him. Yes; says the historian, gravely, while she remained with Darnley, at Glasgow, the queen wrote a series of adulterous letters to the conspirator, Bothwell, while he was sedulously occupied, with Morton, and others, in concerting means, for her husband's murder. The fact of Darnley being taken with the small pox, the moment that he entered Glasgow; the fact, that the queen, immediately, sent her own physician, to attend on him; the fact, that the king and queen were reconciled to each other, before she went to Glasgow; which are all, as true, as *holy writ;* and demonstrate, that such letters were never written, by the queen, but were mere forgeries; that the historian's credulity, in supposing such letters to be genuine, could only arise, from prejudice, operating upon ignorance[p].

5. On the 31st of January 1566-7, says Birrel, the king, and queen came to Edinburgh, out of Glasgow, the king being carried, in a chariot, and took his lodging, in the Kirk of Feild. In this infirmary, the queen often visited her husband; she sometimes slept, in the room, under his: on Sunday, the 9th of February, she pleasantly entertained him, till a late hour, when she recollected, that she had engaged to give a masquerade to one of her women, on her marriage. When she bade him good night, she kissed him, she also put a ring on his finger, as a pledge of her affection. Only one woman in a million, such as Mrs. Brownrig,

[p] The historian did not know, that Darnley had the small pox; and consequently could not feel the detection of the first letter from Glasgow, as above.

of cruel memory, could have treated her husband thus affectionately; knowing that he was to be assassinated, in a couple of hours; *So dreadful is the interval, between the birth of plots, and their fatal periods!* Yet; are there writers, so credulous, from the prejudice of their religion, and their ignorance of facts, as to suppose, that the queen, previously, knew of the murder of her husband.

6. Yes; says Robertson, this truth may be inferred, from the queen's remissness, in prosecuting the murderers: But, while he made this conclusion, he did not in the least advert, that the whole government was in the hands of Murray's faction, which were under contract, to save Bothwell harmless, whatever might be his guilt. The queen shut herself up, in a dark room, within Edinburgh-castle, where she would not see any one; and where she remained, till her physicians represented to the Privy Council, that if she did not take air, and exercise, and amusement, her life would be endangered: on the 16th of February, she retired from the gloomy castle to the fine climate of Seaton-house, attended, by her Court: And here, she remained till the 7th of March, when she returned to her darksome apartments, in the Castle, in order to receive Elizabeth's condolence[q]. These representations of the sorrows of Mary, but ill consort with the abominations of Buchanan, when his falshood represents the sorrowing queen, as retiring to Seaton, with Bothwell, to enjoy the delights of his sweet society: But, the lies of Buchanan are too outrageous to obtain belief; and recoil upon the character of those, who use them, as proofs.

7. The historian of Mary refers next, as proofs of her guilt, to the forged declarations of Paris, by Buchanan, and Wood, to the forged epistles, by Maitland. But, facts, the state-papers, the statute-book, will, forever, reprobate those odious documents, as

---

[q] Kyllygrew, the envoy, in his letter to Secretary Cecil of the 8th of March 1566-7, says, "I found the queen's majesty, in a dark chamber, so as I could not see her face, but by her words, she seemed very doleful, and did accept my sovereign's letter, and message, in very thankful manner."

the most obvious fabrications of fraudulence, that ever deluded a credulous world.

8. The queen's marriage with the murderous Bothwell is the last proof of Mary's guilt, which the historian brings forward against her, as decisive of her criminal conduct. But, when the circumstances attending it are examined, this marriage, which was, plainly, intended to disgrace the injured queen, will appear to be no proof of her guilt, though it establishes the baseness of the conspirators. It was foreseen, by Maitland, and Murray, when their plot against the king's life was first conceived, that nothing would so much gratify the ambition of Bothwell, or so much disgrace the queen, as her marriage to Bothwell, under such circumstances. In order to ruin both, the conspirators Maitland, and Morton, laboured, by every means, to effect it. They obtained the acquittal of that guilty noble, who had acted, merely, as their instrument, and victim. They obtained a declaration of nobles, and prelates, of his innocence, which was mistaken, for an acquittal, by Parliament. Even though a married man, the same nobles, and prelates, declared Bothwell to be the fittest husband, for the queen. Emboldened, by such declarations, the ruffian arrested the queen, on the road to Edinburgh; he carried her, by force, to the castle of Dunbar; and he therein obtained her consent to marry him, by durance, and coercion. For those several points of treason, the Parliament of December 1567 attainted him[r]. But, coercion, and consent, stand opposed to each other: If she was *coerced*, she did not *consent*: If she did not consent, she did not incur any guilt: And, if she was not guilty, she was innocent. Yet, scandal, and disgrace, she could not avoid; because, the circumstances, attending her imprisonment, and her marriage, were concealed from the world's eye. The queen's marriage, however, thus conceived, and thus effected, by vicious means, aggravates, greatly, the wickedness, and guilt, of Murray, and his fac-

[r] *Acta Parl.* iii. 4.

tion: This offence, in itself so heinous, was yet in Murray aggravated, by the motive thereof, which was not malice, or discontent, but an aspiring mind to her crown.

I will follow Robertson no further. I have shown, sufficiently, that his successive attacks upon the Scotish queen are groundless. He, plainly, knew nothing of the conspiracy of Murray's faction against Darnley, and, incidentally, against the queen. Still less did he know, that the records of Scotland contain the *convictions* of the conspirators. But, those two facts, of the *previous conspiracy*, and the *subsequent convictions* of the conspirators, which cannot be controverted, are of such importance, that they confute the historian's whole system, and evince the queen's innocence. Thus had he still to learn the important point, in the history of Mary's reign, that proving the guilt of those conspirators, also established the innocence of the queen [s].

Robertson's History was followed, in 1760, by Tytler's *Enquiry* into the Evidence against the Scotish queen; with an *Examination* of Robertson's *Dissertation*, and Hume's *History*, in respect to that evidence. Tytler's well written work fell into the hands of the late Doctor Johnson, who reviewed it, in the Gentleman's Magazine, 1760, according to his peculiar manner. The notorious discrepancy, between the act of Privy Council of the 4th December 1567, and the Act of Parliament, which was founded

[s] The decision of many controverted facts in history, says Robertson [*Dissert.* 316.] is a matter rather of curiosity, than of use. They stand detached, and whatever we determine, with regard to them, the fabric of the story remains untouched. But, the facts under dispute [the whole facts relative to queen Mary's history] are fundamental, and essential; and according to the opinion, which an historian adopts, with regard to them, he must vary, and dispose, the whole of his subsequent narration. Had Robertson been alive, I would have laid this passage before him; and said to him explicitly, You have written the history of Mary, in opposition to the whole facts of her story, and contrary to the state of Scotland, in her age; and you are of course bound, to review your work; and to vary, and dispose the whole of your narration, according to the truth.. Upon Robertson's principle, I have written the Life of Mary, from a wide view of the State Papers, and public records.

thereon, was thus reasoned, by Johnson: "The difference, between *written*, and *subscribed*, and *wholly written*, gives Tytler just reason to suspect; first, a *forgery*, and then a *variation* of *the forgery*: It is indeed very remarkable, that the *first* account asserts *more*, than the *second*, though the second contains all the truth; for the letters, whether written, by the queen, or not, were not *subscribed by her*: And had the *second* account differed from the *first*, only, by something added, the first might have contained truth, though not all the truth; but, as the *second* corrects the *first*, by *diminution*, the *first* cannot be freed from *fraud*."

The rest of his Treatise, continues Johnson, is an endeavour to prove, that Mary's accusers were the murderers of Darnley [t]. Through this enquiry, it is not necessary to follow him; only, let it be observed, that if those letters were forged, by them, they may be easily thought capable of other crimes. That the letters were forged, Johnson concludes, is now made so probable, that perhaps they will never more be cited, as testimonies. Thus far Johnson! Those letters have since been proved, to be forgeries, by all the means, that have ever been practised, for showing the spuriousness of such fictitious papers: Yet, have the same letters, which carry forgery on the very front of them, been used, by Robertson, as an historian, as if they had never been charged, and convicted of forgery: So rooted is prepossession, and so impenetrable to persuasion is prejudice [u]!

While Robertson, and Hume, slunk away, from *Tytler's Enquiry*, the late Sir David Dalrymple, one of the senators of the

[t] This I have now proved, from the State Papers, and the Statute-book, beyond a doubt.

[u] There was a *second* edition of this able work, with considerable additions, in 1767. There was a third edition with a postscript, in 1772. There was a fourth edition, with several additional chapters, and an introduction, in 1790. Hume, the historian, silently retracted some points, in a subsequent edition: But, I do not observe, that Robertson retracted any thing. The royal historiographer "had gone as far as possible, in Mary's vindication, according to his intimation; but he could not stir an inch further."

College of Justice, ventured out in 1773, with his "*Remarks* on the *History of Scotland;*" wherein, having persuaded himself, he tried to persuade others, in the face of an act of Parliament, "that Buchanan, has given a just representation of the queen's conduct, at the Parliament of April 1567; namely, that nothing was done, in that Parliament, in favour of the reformed religion[x]." Sir David was opposed, indeed, by the late Lord Elibank, with counter remarks: But, when a judge of the supreme court, comes out with a statute, in his hand; saying, seriously, that nothing was done, at that Parliament, in favour of the reformed religion, though it renounced all foreign jurisdiction, in matters ecclesiastical; though it gave toleration to all Christians; what is it, but bidding defiance to the statute, and to truth? Looking through the dim spectacles of gross prejudice, he could not consider the statute, but as *temporary*, and *provisional:* He could not believe, that this same statute was re-enacted by the Parliament of December 1567, though he had the Black Acts, before him[y]. "Whether it has been inserted," continues he, "among the Statutes of December 1567, by some favourer of queen Mary, to show, *how much* she had done, towards reformation; or by some favourer of Murray, to show *how little*, I will not pretend to say." There was, cer-

[x] *Remarks*, ch. ix.; *Acta Parl. App.* 1567. Contrast with Buchanan's lie, and Sir David's inference, the Declaration of the 12th of September 1568, of five-and-thirty nobles, and prelates, who then affirmed that, the queen, by the advice of the three Estates, satisfied the desire of the whole nobility, by an act of Parliament, made, concerning all the points of the religion, in the Parliament holden, at Edinburgh, on the 15th of April 1567. Goodall, ii. 307. Robertson, i. 404, attributes the passing of the above act, to Mary's frequent endeavours "to reestablish the Popish religion;" and he insists, that she was prompted, on this occasion, "by the influence of Bothwell over her:" and for this folly, he quotes Knox. If either of them had consulted the Parliamentary Record, they would have seen, that Archbishop Hamilton, and the bishops, were chiefly the lords of the Articles, who carried through that praiseworthy act: How the queen, and Bothwell, were to reestablish Popery, by inducing the Parliament to pass an act, renouncing the Papal jurisdiction, the logical historian has not attempted to show.

[y] *Black Acts*, April 1568, ch. xxxix.

tainly, an act passed, on the last day of the session, authorizing the printing of the acts of that Parliament; and, they were, accordingly printed, by the king's printer, under the authority of the Clerk Register, Sir James MacGill, who had acted, as one of the assassins of Rizzio, and supported Murray, throughout the successive crimes of his base ambition: Whether the Clerk Register published the act, in question, as the enemy of Mary, or as the friend of Murray, or as the officer of Parliament, I pretend not to know[z]. The act of April, 1567, thus claimed, by subsequent Parliaments, as their own, was honourable to Mary, whether as an act of *reformation*, by renouncing all foreign jurisdiction, or as an act of *toleration*, by allowing freedom of worship, in opposition to so many statutes of ancient times.

Sir David's chapter, on "James, Earl of Bothwell," as far as it ascertains the date of his father's death, and intimates Earl James's age, has some value in it. His next chapter on the *queen's sonnets*, had been of some use, if he had proved, that they were written by her, or not written by her; as, to ascertain truth, is always of some importance: But, he, only, shows how agreeably he can trifle on a trifling subject; yet, without reflecting with YOUNG:

> "*Triflers*, not even in *trifles*, can excel:
> 'Tis solid bodies, only, polish well!"

The satire of YOUNG was thrown away on Sir David's prejudices. In 1784, he set forth, anonymously, *Remarks* on the *enquiry into the evidence against* Mary, queen of Scots. When he heard, that Whitaker was sharping his scalping-knife, Sir David, at least, showed his wisdom, in getting, as fast as he could, out of harm's way; crying out, as he ran, I meant not to fight! I meant not to offend! Happy! had Robertson had the same wis-

---

[z] The same statute was again published, by Skene, in 1597, among the acts of December 1567; as ch. 31, entitled, now, "An act, abrogating all acts contrarie to *the Religion:*" They would not call it an act of *toleration;* as *toleration* was not very agreeable to the taste of the Calvinists, and Knoxites.

dom: He had not received so many wounds, as an historian, as a writer, as a man!

Meantime, Mademoiselle de Keralio of Paris was much better employed, in writing *The History of Queen Elizabeth,* which, necessarily, contains much of the story, and the misfortunes of the Scotish queen. This lady was too good an historian, to set up Elizabeth, as the goddess of her worship, or the demon of her hatred. She sets down nought in malice: And, she writes, truly, what the occasion required, and the facts will justify. Her sensibility was struck, however, with the misfortunes, the persecution, and the fate, of the Scotish queen. She has even followed the example of Robertson, in giving a *Dissertation* on the *Letters,* which had been attributed to Mary. (1) The French historian was struck, as the English moralist had been, with the manifest contradiction of the well-known act of Privy Council, and the act of Parliament, in describing the letters, so differently, as written, and *subscribed;* and *wholly written;* and she noticed, particularly, that the insurgents were so absurd, as to justify what they did, on the 15th of June, by letters, which they afterwards discovered, on the 20th of the same month: But, when it is once known, that Morton, and his associates, were acting a disingenuous, and a guilty part, their gross contradictions, will appear less monstrous: The fact clearly is; that those letters were neither found, nor forged, at the epoch of her dethronement, when the conspirators wanted justification: Her imprisonment was a mere act of brutal, and traitorous violence: Six lords thinking that they possessed the rights of the whole peerage, and people of Scotland, without any other justification, or pretence, for so great a revolution, in the government, and laws, to say nothing of its violence, and injustice. Elizabeth, however, as M. de Keralio remarks, knew of the project of those letters, as early as June; and she was informed of the whole plan of the conspirators, on the 25th of July 1567, by Throckmorton, her envoy, and spy: She, of course, knew those letters to be forgeries; and knowing, that they could not bear examination, she

refused to deliver them, or even copies of them, to the repeated requests of Mary's Commissioners. M. de Keralio, when she closes this head of her dissertation, exclaims: Truth alone has a right to treat barefaced vice, in this contemptuous tone: And yet, she seems not to have known, that the English Commissioners acted, both at York, and Westminster, and Hampton-court, under the sanction of oaths, which they little recollected, in their practice of unfairness. (2) This intelligent writer dwells on the striking circumstance, that neither Sir James Balfour, the governor of Edinburgh-castle, who had the custody of the box, and letters; nor Dalgleish, the bearer of them; nor, above all, Paris[a], who had been the original bearer of those letters, from the queen to Bothwell, were ever examined, concerning their knowledge of such letters, and such a discovery: So that the whole circumstances, on which turned the fame, and fortune of a queen, were left to depend on the guilty assertion of Morton, the murderer, who was not even asked a single question, upon a discovery of such importance, by the clergy, who attended his last moments, on the scaffold, if not by the Privy Counsellors: She justly supposes, that such circumstances of neglect, strongly imply the conscious guilt of those, who derived a justification of their mighty crimes, from obvious forgery, and constant deceit. (3) This intelligent enquirer, after pure truth, considers the various, and successive changes of the language, in those pretended epistles, as so many pregnant proofs of palpable forgery. When she sees the conspirators, who had so strong an interest, taking so much trouble, to translate these supposititious letters, from the Latin to the English, from the Latin to the French, and to the Scotish, she cries out, What a tissue of falshood! And she goes on, to remark, that there can only be but *one truth*, which cannot change: When leading facts, such as the language of letters, are apparently changed,

[a] The postponement of the examination of Paris till Buchanan, and Wood, could compile a declaration, for him, is a strong proof of forgery in them, and of fallacy, in Morton.

by artificial means, it is, because such facts never existed. (4) The historian of Elizabeth insists, that whether the epistles, which were produced, in evidence, before the English queen, were copies, or originals; she ought to have retained them, with the box, which contained them; as the means of her own justification, in an affair of doubtful issue, but of real dignity. By allowing the box, and its letters, however, to be carried back to Scotland, and to be lost, when Gowry was executed, clearly, evinces, that she regarded them, as forgeries, which had answered her odious purpose of disgracing the Scotish queen, before the ministers of France, and Spain. (5) When M. De Keralio considered the ribaldry of those letters, and sonnets, in whatever language translated, she reprehended Robertson, who is always ready with an apology for wrong, and who attributes that circumstance to the coarse manners of a reformed age: and she is thus led to insist, with the delicacy of her sex, that in all times, and in all polished society, women have the character of modesty, which nature imprints upon their sex; there being few women, especially of rank, who are so abandoned, as to add licentiousness of conversation to the licence of manners; the first degree of corruption is, not to blush to oneself, the last degree is no longer to blush to others: From these intimations, this writer was led to conclude, that those notorious letters were, plainly, written, by a man, and not, by a woman. (6) This able historian concluded a well-written dissertation, in this feeling manner: One cannot but consider such observations, as of much more weight, in favour of Mary Steuart, than the oaths of such profligate characters, as Murray, and Morton, and their adherents, which Hume, and Robertson, took as the ground of their defence, and as the proof of the authenticity of the letters, attributed to the Scotish queen, which she, however, affirmed had been forged, by her adversaries, who were in the habit of forgery, and of crime; letters, which, containing in themselves, so much of improbability, of imprudence, and of folly, only afford so many proofs of gross imposture.

By a singular coincidence, Whitaker was now busy on his *Vindication of the same queen.* From the great superiority of this writer, in all, that constitutes preeminence over the former investigators of Mary's guilt, or innocence, in erudition and research, in acuteness of argument, and ambition of eloquence; we might easily suppose, that he would take a very wide range of disquisition, to ascertain the authenticity of facts, and to establish the satisfactoriness of truth.

He investigated, in a preliminary section, the general causes, that contributed to Mary's misfortunes: and he attributes the principal source *to the reformation*, as it was conducted, in Scotland, by falshood and forgery, by violence, and tumults, by a disregard of our Saviour's example, and by a contempt of his Scripture, except when it was used, for the special occasion, of promoting an end. It did not, indeed, require the genius, or the ingenuity of Whitaker, to inform us, that every civil war, in whatever age, and whatever country, has the most unhappy influence on the human character: In the civil wars of Greece, and of Rome, of France, and of England, formerly, as well as, more lately, civil conflict, for whatever cause, had the most deplorable influences on the moral principles, and accustomed conduct of mankind: and showing in the result, that a people more instructed, than others, are much more easily governed, than a nation debased into vice, and reformed into crime, deluded into fanaticism, and sunk into ignorance. Such was the condition of Scotland, he added, when Mary returned to her own kingdom, from France. (2) With such a sea of commotion, Mary may seem, to have been little qualified to contend, either from nature, or education. From a very minute investigation of her real character, he discovered, that she had many qualities of a sovereign; but, wanted the power of action, without which, all other qualities are vain. (3) One great infelicity of Mary's life, consisted, in her having a brother, who was, indeed, a bastard. Without any of the rights of society, he very early aimed, at greatness; and all his aims were

very eagerly supported, by Elizabeth, and Cecil, from whose subservience, they expected to govern a neighbour nation: And, when the reformation broke out, in Scotland, with all its wildness, and strength, this illegitimate brother of an absent queen, closed in with it; put on the sanctified air of a reformer; attached all the popular leaders to himself; and prepared to make them the useful steps to Mary's throne. (4) But, even all this united could not have been effectual to the queen's ruin: She had the additional misfortune of having, on a neighbouring throne, a cousin, and a female: England was then governed, by Elizabeth, with Cecil, for her minister: On the most flagitious principles, they engaged in intrigues against Mary: They banded with her ambitious brother, and her seditious clergy: They furnished both with assistance secretly: They lent both their countenance openly: And by those means, Elizabeth, and Cecil, at length drove Mary to look for refuge, in England, which was the ultimate consequence of their previous aims.

Yes; Whitaker bestowed no fewer than three volumes, of accurate research, and of splendid diction, in vindicating Mary Steuart. She was charged, by the same conspirators, who committed her husband's murder, with a participation in his death; and they endeavoured to support their charge, by producing letters, which she is said to have written to their catspaw, Bothwell, after her reconcilement with her husband, which, when they were first noticed before the Privy Council of Scotland, appeared to be written, and subscribed, by her own hand; yet, when they were mentioned before the Parliament, some days after, appeared to be only written by her: Had such letters been genuine, they had always appeared the same. It was to repel this charge, by the murderers themselves, that Whitaker wrote his *Vindication*.

The vindicator now gave a minute history of the love epistles even before they were written. The conduct of Morton, the intercepter of them, was wholly mysterious. He had no proof of the fact of his finding them, but the assertion of a notorious fal-

sifier. The differences in their first exhibitions, in the Privy Council, and in Parliament; being written, *and subscribed*, by the queen, when they first were noticed, and written only by her, when they appeared the second time, without seals, or superscriptions: Such circumstances have been deemed, by the ablest critics, as clear indications of fraudulence. But, fraud, and fact, cannot both be true. With regard to those famous epistles, which were thus convicted of forgery, by the very manner of adducing them, Whitaker has bestowed all his attention, and acuteness, all his vigour, and his wit. They were now proved to be forgeries, by all the possible modes of trying them. He, now, examined the external and internal evidence; their variations in substance, their variations in form, their variations in *words*, and their variations even in *language;* the history of the conspirators, concerning them, the history of Elizabeth's proceedings, at the conferences, in England, with regard to them. Their contradictions to facts; their repugnances to common sense; their inconsistencies with all chronology, and their violent opposition to themselves, and to each other, all evinced those letters, according to this redoubtable critic, to be forgeries, with an accumulative weight of decisive testimony.

The same research, and the same decisiveness, equally, evince, according to the vindicator, the spuriousness of the *sonnets*, and *marriage contracts*, which have been attributed, by calumny, to the Scotish queen. They were not found, with the notorious epistles, in the gilt box: The important use, which might be made of such documents, was an afterthought of the conspirators, who had a forger always, at hand, either in Maitland, or Buchanan. Their vulgarity, says Whitaker, is a proof of their forgery; their strange mixture of falshood, with fact, is another proof; their absurdities are another proof; their contradictions to the letters, and of the letters to them, are still more decisive proofs of their forgeries. Whitaker took a very wide range of enquiry, throughout so voluminous a *vindication*, as three volumes afford; and, in this

range, he, everywhere, finds some forgery to detect, and some misrepresentation to be confuted. But, the true question will, at last, be found, to lye, in a very narrow compass: The conspirators were themselves the committers of Darnley's murder, with Bothwell, for their catspaw: and the proper question is, Whether Mary was privy to the concert of Murray's faction, for the king's murder, and her own dethronement? The several convictions of those conspirators being recorded, in the *Acta Parliamentorum*, it becomes nonsensical to enquire, whether the queen was privy to a plot; of which *she was the obvious victim*. This point has been very fully investigated; and in the result it was clearly shown, that the queen, and Bothwell, having different objects, could have had no concert; and having no concert, with a positive conspirator, the queen could have had no privity with the designs, which were to end in Darnley's death, as well as in her own dethronement, for the benefit of Murray, and the murderers.

The *Vindication* of Whitaker made a great impression upon many people: and from its elaboration, and its length, seemed to preclude all prospect of an answer; which must, necessarily, be still more elaborate, and extended. At the end of a dozen years, however, Mr. Laing, one of the advocates of the learned faculty of law, at Edinburgh, when he published a History of Scotland, in continuation of Robertson's, during the year 1800, promised to add an intermediate *volume, on the participation of Mary, in the murder of her husband*, and in 1802, brought out *two* volumes, which, as they belonged not to his subsequent history, were not called for, by those, who find amusement, or instruction, in such disquisitions: Two volumes of necessary supplement to Robertson's History seem to evince a strong suspicion, in Mr. Laing, that the *Dissertation* of his predecessor, on Mary's guilt, had shrunk away, before the vigorous *Vindication* of Whitaker. This more confident dissertator, however, does not notice that *Vindication*, except, incidentally, on a point, or two, of little consequence: He

walked out into the fields of fraud; and gleaned, for the calumniation of a woman, and the arraignment of a queen, a dozen of forgeries; consisting of love letters, amatory sonnets, marriage contracts, between a married man, and a married woman, and *vitiated state papers.* But, as an advocate, he did not look into the *Acta Parliamentorum*, where he would have seen *the several convictions* of the chief conspirators, who murdered the queen's husband, glaring in his unwilling eyes. We may be thus induced, to ask, with Sandys,

> "Are you, in favour of his project, bent
> Thus, to prejudicate the innocent?"

When the conspirators, who dethroned the Scotish queen, began to act against her, we see nothing in their proclamations, but artifice: They soon after produced charges, without grounds, and proofs, without efficacy. In England, as we have seen, it was adopted, by Elizabeth's cabinet, knowing the fallacy of those proofs, to disgrace the Scotish queen, by every mode of calumny, and by every perversion of justice. But, the artifices, and the guilt, of that cabinet, have been, sufficiently, exposed to the eyes of the world, and, abundantly, exploded, by all those, who love truth better than deceit, and detest oppression, whosoever may be the oppressor, or the oppressed. Since the period of the rival queens, much has been discovered, and many documents have been published, which have introduced a fresh view of many events, and have, of course, given a new cast to history.

But, what are new discoveries, and new views, to those, who do not write, from a love of truth, so much as for party purposes? Since the *late Vindication*, the plan of Laing does not consist, in refutation; does not comport with any direct charge, which would require positive proofs: No: His plan is, to run over the whole life of Mary Steuart, even from her girlish days, till her gray head fell under the guilty axe of Elizabeth. He was, probably, aware,

that every man, as well as every woman, has some failing, or some fault, which they desire not to be exposed to a censorious world: And, of course, they naturally expect, from every rule of charity, and principle of justice, that no one should do that, which he would not suffer. The writer, of whom I am now speaking, has republished a dozen forgeries, which had been decisively exploded, as palpable counterfeits, for justifying a convicted faction, and criminating an innocent queen. If any other person, than Mr. Laing, had republished so many notorious forgeries, to disgrace a woman, and arraign a queen, I should have said of him, that he was himself very capable of forgery.

In vain, then, does the writer, under consideration, run over the diversified life of the Scotish queen, with a malignant pen; as nothing certain, or satisfactory, can be the result, of a calumnious stroke: Such a writer may show his prejudices; but, he cannot establish any probation: He may calumniate; but, without proofs, he cannot criminate. If the general principle be, that every woman, must be deemed innocent, till her guilt be proved: If he have no better evidence, than lampoons, and lies, forgeries and frauds, calumnious reports and malevolent misrepresentations, the Scotish queen must be deemed innocent, by the wise, the virtuous, the good.

If truth ought to be the end of all enquiries; if truth be the end of Laing's enquiries; then, the proper mode of ascertaining *the truth* is, to divide this litigated subject into two distinct heads.

(1) Who were the murderers of Darnley?

(2) What concernment had the queen, in the murder of her own husband?

In answer to the first question, the proper, and the prompt, answer must be, Who but the guilty miscreants, who were attainted, by Parliament, for the crime, and punished, each, according to his peculiar circumstances?—Bothwell, Maitland, and Morton, were all attainted by Parliament, and punished for this specific murder.

The records of their country are the proper vouchers of their treasonous guilt[b].

(2dly) When Morton, the most audacious conspirator of all the king's murderers, drew his sword, on the 11th of June 1567, he publicly avowed, his object to be, to free the suffering queen, from Bothwell's violence. When she left Bothwell, on Carberry-hill, and joined Morton's army, he made her a prisoner, though he had engaged to obey her, as his sovereign. When Morton, on the morrow, sent her a captive to Lochleven-castle, he did not charge her with concernment in her husband's murder, he did not charge her with any crime. When, from some months consideration, the conspirators found, that some charge must be, necessarily, assigned to the public, for dethroning her, the conspirators charged her with writing adulterous letters to Bothwell, one of the same concert, whom they had made a *scape-goat:* But, the intercepting of these letters, by Morton, and the adducing them in evidence, by him, evince, by the circumstances, attending the interception, and the adduction, a gross imposition, by asserting letters to be found, which were only forged. They, now charged the queen, with marrying Bothwell; whence they infer her privity to the murder: But, the marriage was one of the con-

[b] I have already demonstrated, by the satisfactory proofs of state-papers, and the statute-book, that Darnley was murdered, by Murray's faction: I have, actually, taken Morton, Maitland, and Bothwell, in the very act of concerting means, for the king's death: I have established the fact, beyond a doubt, among reasonable enquirers. Now, coupling this previous conspiracy, with the subsequent attainders of the same three guilty miscreants; who can doubt, upon the first head of enquiry, whether, Maitland, Morton, and Bothwell, with their subordinate agents, were not the murderers of the queen's husband? The very miscreants, who murdered the king, had the additional baseness to charge the queen with their own guilt; they charged their sovereign, with this murder, before the Privy Council of Scotland; they charged her before the Parliament of Scotland; they charged their sovereign with the murder of her husband, before a foreign sovereign. Beyond their villany, the greatest wickedness could not go; if we do not except their apologists, who prefer forgery to fact, and falshood to veracity; who apologize for crime, and arraign innocence.

trivances of the conspirators, themselves, for the queen's disgrace; it was forced upon her, by the violence of Bothwell, for which he was attainted, by Parliament: If the marriage was induced, by the conspirators, and coerced by the ravisher, what guilt did she incur: what proof does there result, from such a marriage, arising out of such a crime? The answer must be, None. The circumstances, attending such a marriage, took away all pretence of guilt, even in the opinion of Murray's Parliament of December 1567: The marriage only disgraced the queen, in the eyes, and understanding of those, who were unacquainted with the attendant circumstances of so singular an event, which arose not so much, from accident, as from art.

I will here beg leave to submit to the reader's judgement, as a curiosity, as well as a proof, a letter, from Sir John Forster, Elizabeth's warden, on the middle marches[c]; giving Sir Francis Walsingham, her secretary, a minute account of Morton's trial:

"Pleaseth yt your honour to be advertised, that this daye a man of myne, whom I sent, into Scotland, about certain business, is returned unto me with certain news, whereof I think my lorde of Hunsdone hath alreadye written unto you: But, notwithstanding, I thought, I could doo no lès but advertise your honour thereof; that is, of the deathe of the Earl of Mortone, who was convicted, on thursdaye, and adjudged, to be hanged, drawn, and quartered, on friday: And, there was xxii articles put against him, but there was none that hurt him except the murder of the king [The king's advocate departed, from all the charges, except that of the king's murder;] which was layde unto him by iv or v sondrye witnesses: The fyrst is the *lorde Bothwell's testament;* the second Mr. Archibald Douglas, when he was his [Morton's] man; Mr. Archibald Douglas man is the accuser of him, that bare a barrel of powther to the blowing up of the kinge into the ayre,

[c] From the Harl. MSS. *Brit. Mus.* 6999, No. 97.

and that for haste to come away, the said Mr. Archibald lefte one of his pantofle [slippers] at the house ende: and, moreover, he was convicted, for the speakinge with the lorde Bothwell, after his banishment, in England, [at Whittingham] before the king's murder; and then the consentinge to the murtheringe of the kinge; and the bindinge his band of *manerent* [manrent] to the said lorde Bothwell: and the queynes confession, [declaration] when she was taken at Carberrie-hill; she said he was [Morton was] the principall man, that was the deede doer, and the deviser of that purpose: Thus having no newes worthie of advertisement to send unto your honour, at this tyme, I humblie take my leave, att my howse nighe Alnewicke, the 4th of June 1581.

"Your honors humble to commande,

"JOHN FORSTER.

"*Postscript.*—The man, that brought me this newes, came from Edenburghe, on Fridaye last, at two of the clock, and then the said Earl of Mortone was standinge on the scaffold; and yt is thought, that the accusations, that were laid against him were verie slender, and that he dyed very stowtlye."

It must be allowed, that Sir John did not give a very lawyer-like account of this famous trial of a very guilty miscreant. We had already the formal parts of the trial: But, what was, chiefly, wanted were the proofs, which were given in evidence against Morton; and which Sir John supplies. We thus see, that Bothwell's Testament was given in evidence[d]. We see, also, that Morton was convicted, for concerting the king's death with Bothwell, at Whittingham, which, indeed, the indictment charges. We perceive, moreover, that Morton had given a bond to Bothwell, to

[d] Bothwell, when dying, issued a declaration, which was called *his testament*. A copy was sent, by the Danish government to queen Elizabeth, who suppressed it: But, there were other copies sent to several courts; and one appears to have been given in evidence against Morton, which was probably obtained from Paris.

save him harmless, for the murder, which Sir James Balfour seems to have possest: Now, these are two of the points, which I have laboured to prove; because they go to the very heart, and soul, of the enquiry, who murdered Darnley first, that there was a conspiracy of nobles, who concerted that deed, whereof Bothwell was made the catspaw; and secondly, that a bond was given, by the complotters, with Morton, at their head, to save Bothwell harmless, for the murder, and to ensure to him the queen's marriage[e].

We are thus led forward to the second head of enquiry, Whether the queen was privy to the murder of her husband? The deed was not done, by one, but by many; it was committed, by a conspiracy of nobles, with their followers, and not, by one noble: Bothwell acted, as we have seen, as one of that concert, and not by himself: But, was the queen, privy to that conspiracy, which was kept very secret; and which was clearly intended, to deprive her of her husband, and her crown? The events evince, that her dethronement was one of the objects, which the conspirators had, constantly, in their view, in order to let in Murray to the vice-regal chair. Robertson undertook to prove the queen's privity to Darnley's death; but, failed egregiously. Laing undertakes to prove the same point: But, he proceeds, throughout, on a *sophistry*, which cannot be granted him; that Bothwell acted, *singly*, and not in the *complot*, with Morton, Maitland, Murray, and others, which has been proved, again and again, beyond a doubt: And, the logic of Laing, of course, proceeds, in reasoning against facts, and in asserting points, in the face of demonstrations; in contemning the records of his country; and in disdaining shame.

[e] See, also, as supplementary, Moyse's *Mem.* 53-5. See Arnot's *Crim. Trials*, p. 388-92, the Trial of Morton; see, moreover, the confession of the Laird of Ormiston, who was executed, for the murder of Darnley [*Ib.* 383-88], which confirms the two points mentioned above.

Throughout Laing's Dissertation, it is quite apparent, that little, which is altogether new, and which he avows, indeed, is now brought out, by his researches. But, he, who undertakes, to change falshood into facts, has a hard task to perform; and he, who endeavours, to fasten guilt upon innocence, has an Herculean labour to achieve. It required not, certainly, much ingenuity, or invention, to lay before the incurious, old materials new vamped, for illustrating a proposition, which he appears to have taken for granted, *the participation of the Scotish queen, in the murder of her husband.* This is the very point, which Robertson undertook to prove, as we have seen, yet failed, not for want of zeal, but deficience of proof: Other logicians, lawyers, and judges, insist, indeed, that guilt must be proved; as it cannot be presumed. But, does Laing prove that essential fact, any more than Robertson? No: He talks, generally, he asserts much, yet, proves little; and this little does not evince, that assertion and proof, fiction and fact, forgery and genuineness, guilt and innocence, are the same, in argument; are the same, in probation. If Laing had had any other object, than to reecho the scandals of Elizabeth; or adopt the practice of Cecil, in proving any point, by any means; or to arrogate the ambition of having the last word with the vindicator of the Scotish queen: Had he wished, to ascertain the important point, which is so pregnant with results, he would have searched the statute-book, for the three several acts of Parliament, which attainted, in succession, Bothwell, Maitland, and Morton, for that odious treason. The records of their several convictions demonstrate the certainty of the fact: As those three guilty conspirators were all convicted of the same crime, they must have all acted in concert: and, acting thus, in conspiracy, they must have jointly proceeded upon the details of a previous plot: Neither did any one of the three conplotters act for himself alone, in executing, by the wickedest means, the king's murder, and in obtaining the queen's marriage to one of the conspirators, and the queen's dethronement, for Mur-

ray's elevation. That the queen, who was the sad victim of this odious conspiracy, was privy to it, is an absurd proposition, which would require the unerring proofs of holy writ.

But, Robertson, and Laing, who abound in their own conceits, who argue from theory, rather than from facts, and prefer the knaveries of forgery to the veracities of record; endeavour to slide, from under those convictions, by adopting systems of their own creation; however inconsistent with the state-papers, and the statute-book. They disregarded the fact, as it is proved, by the records: And they supposed, that Bothwell was the sole murderer of Darnley; that since he was the queen's paramour, rather than Murray's conspirator, she must have had some foreknowledge of the crime, which involved herself in ruin, and disgrace. How contrary this supposition is to facts, need not now be mentioned: Is it allowable, in any discussion, to push aside the records of law, and justice: to argue against established facts, on mere supposition; as Bothwell was not the lover of Mary, but the conspirator with Murray, from whom he expected his reward? Neither is it, in this place, necessary, to reason the other point, very strenuously, of the ascendency of Bothwell over the queen, in opposition to Murray's power; as Bothwell was, merely, his *catspaw*, in the murder of Darnley, and his scape-goat, in the winding up of the conspiracy, by the dethronement of Mary, and the elevation of Murray. But, Robertson, who knew not the facts of this period of the history, continues to talk, idly, of the ascendency of Bothwell, rather than the predominance of Murray; however absurd, the historian's system may be in itself, however groundless, in its facts, and however inconsistent it is, with the evidences of records: Robertson allowed himself, to be deluded, partly by his own prejudices, and still more, by the falshoods of Buchanan, and the misreports of Knox.

Neither need it be strongly insisted against Laing, the copyist of Robertson, who is still more perverted, by his greater prejudices, that the conspirator, and the lover, are very discordant cha-

32267

racters. Bothwell, as we know, from facts, expected the queen's marriage, upon more decisive grounds, than ascendency, or love; even from the written engagements of the all-powerful faction of Murray: The detail of the conspiracy, and still more its winding up, evinces the fact; which was, indeed, proved, by the dying declaration of Ormiston[f], and by the documents, which were given in evidence, on the trial of Morton[g]. And yet, so little influence had his love, or his ascendency over Mary, when he made his proposal of marriage, that he was obliged to use artifice[h], and force[i], to accomplish his purpose: Emboldened, by that declaration, Bothwell arrested the queen, on the highway; carried her forcibly, to his castle of Dunbar; and therein obliged her, by coercion, to consent to marry him[k]. Still following his system, Laing, in imitation of his predecessor, pushes aside the Parliamentary record, as the best evidence of those conclusive facts, and disregards the Parliamentary judgement, as the genuine award of justice upon the noble complotter. But, the dissertator, that could do this, is beyond the power of proofs, and sets common sense, and

---

[f] In Arnot's *Crim. Trials*, Append.

[g] As we know, from Sir John Forster's letter to Walsingham.

[h] The artifice was the obtaining for him the odious declaration of the nobles, and prelates, of Bothwell's fitness, for her husband.

[i] By carrying her to his castle of Dunbar.

[k] Melvill, who was present, in Dunbar-castle, assures us [*Mem.* 79-80.] "On her majesty's coming back from Stirling to Edinburgh, the Earl of Bothwell rencountered her [on the 24th of April 1567] with a great company, and took her horse by the bridle, his men took the Earl of Huntley, Secretary Maitland, and me, and carried us captives to Dunbar: There the Earl of Bothwell boasted he would marry the queen, who would, or who would not; yea, whether she would herself or not." The bishop of Ross concurs, in this representation [*Defence*, p. 16-17.]. Secretary Maitland was in the secret of this outrage; and attended the queen, to betray her. There is some reason, to think, that Huntley had been gained to Murray's purpose. The act of Privy Council, 21st July, at the head of which was Morton, asserted the same three facts; the arrest, the abduction, the coercion. The Parliament of December 1567, attainted Bothwell of treason, which the Parliament grounded on those *three facts*. *Acta Parl.* iii. 4.

public opinion, at defiance. Enough has been said, and, perhaps, more than enough, to show the spirit of the dissertator, and the practice of the partizan, when he exerts his best powers, to criminate a woman, and to arraign a sovereign. Yes; the dissertator does bring one charge against the queen, from record evidence, which it may be worth while to answer, though this solitary instance evinces, that he had consulted the record, but without much success[1].

The train of proofs, for detecting the vast body of forgeries, which were practised, under Murray, in Scotland, and by Cecil, in England, may be adequately confirmed, by adverting to the constant practice of calumny, in both those countries, for disgracing the Scotish queen. The age of Mary was a period of credulity, when design, constantly, practised on ignorance. The Huguenots of France did justice to her virtues, by their silence, while she remained among them. But, the moment, that she avowed her purpose to return to her native kingdom, was, also, the epoch of slander: Her great infelicity, or her usual fault, was her religion, which was considered, by the uncharitable among the reformed, as a crime. The very appearance of the queen, within her kingdom, brought with it, according to the fanaticism, or folly, of Knox, *dolor*, and dismay, as well as great dissatisfaction, and little charity. The Scotish clergy of the reformed order were not

[1] The dissertator states, [*Dissert.* 33.] that Alexander Durham, the king's servant, who was accused of "betraying his master, was rewarded by Mary, five days after Darnley's death, with *a pension, and a place.*" For this fact, he quotes the Privy Seal Record, 15th February 1567, when Durham was appointed Master of the Wardrobe to the Prince, with a yearly salary of £100 Scots. The queen only knew, that Durham had been her husband's chamberlain, without knowing, who had wronged her husband: But, it is singular, that after Durham had been accused of betraying his master, he should have been rewarded, by Murray, with the office of master of the household to the regent. [Durham was master of the household to the regent Murray, in April 1568. [*Treasurer's Accounts*:] And the same Alexander Durham was master of the household to the regent Mar, who was Murray's uncle, in July 1572. [*Id.*]

learned, and were but little acquainted with the benign spirit of Christianity: They copied more the furious practice of their apostle, than they followed the beneficent example of their Saviour: And hence, that practice of censoriousness, which prompted the habit of scandal: It was from this circumstance, that the common opinion, respecting the queen, was quite contrary to the state of facts, and the unquestionable truth. There was another source of calumniation, which was full as prevalent, and pernicious, as the common talk of the clergy. The faction of Murray, with his pensioned writers, gave a malignant turn to every action of the queen's life: and those daily suggestions were adopted, as so many truths, by the people, whose traditions passed into popular history: There cannot be a fact more certain, or better established, than that the queen's husband was taken ill of the small-pox, at Glasgow, about Christmas 1566, when the queen sent him her own physician; and yet was it given out, by Murray's faction, that he was poisoned: Thus did this fiction pass into popular tradition, and contemporary history; so that the late historiographer royal could not ascertain, as he avows, what the king's disease, really, was: Among other contemporary writers, who said, that the king had the small-pox, was Blackwood, counsellor of the Presidial Court of Poitiers, a scholar of great eminence, a lawyer of profound knowledge, who had the fact, no doubt, from the Archbishop of Glasgow, the queen's ambassador, at Paris: And we have lately had Mr. Laing to assure us, that of all the contemporary liars, Blackwood was the greatest: Whether Blackwood, or Laing, were the profoundest jurists, or most distinguished writers, we may infer, from the high character, given to Blackwood, by the Lord Chancellor Egerton; and which of them were the most veracious writer, recent experience must decide. To all those causes of calumniation, may be added the conduct of Darnley, unlearned, unmannered, untoward, as he was, that gave too much cause, for censoriousness to represent, and scandal to propagate.

The English statesmen stuffed their letters with much misre-

presentation of the Scotish queen, in order to please the envy of Elizabeth, and to gratify the hate of Cecil. After Mary's marriage with Darnley every domestic concernment of the king and queen, was set down in malice, and was heightened into exaggeration, in the recital. When the catastrophes of the king, and queen, advanced towards their consummations, the statesmen of both the conterminous kingdoms, were perfectly aware of the efficacious power of calumniation, for producing great results. In Scotland, during that reign, the censoriousness of preaching, the slander of conversation, the lampoon of writing, were all used against the queen, with extraordinary effect. In England, when the imprisonment of the Scotish queen was resolved on, the ablest statesmen gave it as their clear opinions, that such a measure, violent, and illegal as it was, could not be justified, unless she were completely disgraced, by every "calumnious stroke." It was, indeed, the solid remark of SOUTH, that, "no villainy, no flagitious action, was ever yet committed, but a lie was first, or last, the principal engine, to effect it."

The statesmen of Scotland, during that shocking period, were altogether governed, by that practical maxim. Murray was wholly ruled, by Cecil's principles, that to gain his ends, any means were justifiable. Secretary Maitland, whose foresight seldom deserted him, had a lie always on his tongue, and a forgery, constantly, at the point of his pen. We may see proofs enow of this, in the *blood-bolstered* events of Mary's reign.

When the Scotish queen was dethroned, and imprisoned, by six nobles, with Morton at their head, they had neither any charge against her, nor any document, to support a charge of murder, or adultery. Those noble insurgents were not provided, with any adequate pretence, to justify such a treasonous act, as the dethronement of their sovereign. The clergy of Scotland, with as little information, concerning any charge against their queen, gave it as their opinion, as we know, from Throckmorton's letters, that she ought to be put to death; because they believed, without

reason, that she had been guilty of infidelity to her husband; and believing this falshood, as a fact, they naturally supposed, that she must be guilty of murder: Such was their credulity; such was their belief in lies; such was the influence upon their spirits of lampoons!

When the Scotish clergy thus thought, and thus acted, upon such idle motives, how did the Scotish laity think, and act, on the same motives? They joined in the cry of punishing the innocent victim of those calumnies. The chiefs of the conspirators, like Elizabeth, and Cecil, made use of their own scandals, to carry into effect their ulterior objects. They soon after compelled the calumniated, and imprisoned queen, by violence, and falshood, and threats, to resign her sovereignty to her son, and her sceptre to her bastard brother. After verbal slander had produced such great effects, the supposititious letters of Mary to Bothwell were forged, to warrant her dethronement, to justify the coerced resignation of her crown, and to induce the Parliament, to legalize such treasons, such violences, such revolutions. But, what sort of men was the Privy Council composed of, when there was not one person in it, that had sense, and spirit, to ask, who verifies letters, which are said to have been written, and signed, by the queen's own hand? The answer must be, They were Murray's faction. Nor, was there any examination, how such letters were found. The Lord Morton, who was an assassin, a traitor, and a falsifier, said indeed, that he had intercepted a box, with those letters, in the hands of one Dalgleish, a servant of Bothwell; carrying them, from Sir James Balfour, in Edinburgh-castle, to his master, in Dunbar-castle. Was Dalgleish examined, when he was before the Privy Council, only six days, after the epoch of the discovery? No: Was Sir James Balfour, who was present, in the Privy Council, when those letters were talked of there, examined? No. What must have been the credulity, and the folly, which, under such circumstances, could believe, that a married queen could have written, and subscribed, such letters, to a married man, who was

in a conspiracy against her husband, and herself? It supposes great confidence of audacity, in Murray's agents, to expect, that such letters would be attended to, upon the mere assertion of such a miscreant, as Morton.

That there were some whispers, in the Privy Council, of doubts, concerning the genuineness of such letters, we may easily suppose. When the supposititious letters of Mary were mentioned in Parliament, ten days afterwards, the same epistles had lost their subscription of the name of Marie R. by some act of *necromancy*, no doubt. Yet, guarded as they were, by that enchantment, they were not quite safe, from the tempests of criticism. Mr. Laing, in his wisdom, remarks, however, that the argument founded on such a change, is but very weak: And yet, the late Dr. Johnson, in the acuteness of his criticism, observed, that the change from written, *and subscribed*, to *written*, only, is of great importance; as it establishes some fraudulence; and such a fraud operates, as a gangrene, which corrupts the whole system of forging such letters, for supporting the violence, and wickedness, of Murray's faction.

The state-papers evince, that Cecil, and Elizabeth, were fully acquainted, with all those circumstances of calumniation, and forgery. The very long epistle, which Mary is said to have written, in January 1567, from Glasgow, to Bothwell, while he was busy, in collecting men, and means, for committing the murder of her husband, still remains in the Paper Office, done into English, from the Scotish, for the gratification of Elizabeth's passion, for slander. In the same office, there are some other specimens of those delicate epistles, the obvious effusions of Maitland's mind, which were, also, done into English, and marked with the pens of Cecil, and Elizabeth. *Veritas non recipit magis ac minus:* A document must be either *true*, or *false*. If Mary wrote those supposititious letters, in the vulgar language of her country, as we see them, in Goodall; the same letters could not be, also, original; and genuine, in the English, in the French, and in the Latin: They were produced, in the original Scotish, to Elizabeth's Commissioners,

at York: They were laid before her Commissioners, at Westminster, in the original French, as the genuine letters of the Scotish queen. Elizabeth refused to show those letters to Mary, who would have, easily, detected their spuriousness. But, the guilt of Elizabeth consisted, in this, that she made the Murrays, and Mortons, and their complotters, swear, that those French letters were, indeed, the genuine letters, in the queen's hand, and sent, by her, to the conspirator Bothwell: But,——

"Must virtue be preserved, by a lie?
Virtue, and truth, do ever best agree."

Yet, may it be remarked, how often, indifference, or friendship, or folly, acknowledge a falshood, rather than ascertain the truth. There is too much of this practice, in Holinshed's Chronicle, as he derived his information of verity, from Thynn, or falshood, from Buchanan. In the same spirit is Spotiswoode's History written: *Write the truth, and spare not*, said King James, to the Archbishop: Yet, do we see, in this uncritical historian, too many examples, from Buchanan, how often, *malice bears down truth*. In Jebb's Life of the Scotish Queen, we may perceive pages of falshood admitted, when a little enquiry would have enabled him to discover the ugliness of falshood, from the comeliness of truth. Something of this spirit may be traced in the *History of Mary*, by Dr. Thomas Robertson, of Dalmeny. Little did those biographers advert, what injustice they did to her, and injury to themselves, by acknowledging some points, in her story to be true, which were false in their facts, and calumnious, in their inferences. But, such are the pestilential effects of calumny, when scattered with profuse, and malignant pens, that neither indifference can see, nor friendship detect, the obvious difference, between falshood, and truth. It is, however, some consolation to reflect, that though VERITY MAY BE OBSCURED, FOR A TIME, IT CANNOT BE EXTINGUISHED.

SUBSIDIARY DOCUMENTS.

No. I.—*Of the Queen's Visit to Earl Bothwell at Hermitage-castle.*

As the queen's journey to Jedburgh, the shire-town of Roxburgh, has supplied Buchanan, and Robertson, with a thousand calumnies; it has been deemed proper to subjoin, in this place, such facts, and circumstances, from the records, as are curious, in themselves, and will explode those calumnies:—

August 2, 1566. At Alloa, the king and queen, in Council, declared their purpose, to hold a *Justice-air*, at Jedburgh: But, this declared intention, by various avocations, was prevented, from being executed, 'till the beginning of October.

Sept. 30. *Oct.* 3. Murray gained over Bothwell to his views against Darnley.

Oct. 2 *and* 3. The Earl of Murray, and Secretary Maitland, wrote, from Edinburgh, letters to Secretary Cecil.

6th. A Privy Council met, at Edinburgh, wherein sat James Earl of Bothwell.

7th. Bothwell, who was the queen's lieutenant, on the borders, went, from Edinburgh, to Lidisdale, or perhaps the evening before.

8th. He was sore wounded by John Elliot of the Park, who had some right to the possession of Hermitage-castle.

8th. The queen went out of Edinburgh; to hold a *Justice-air*, at Jedburgh, with her whole Court, and officers of Justice. [Birrel's *Diary.*]

10th. She held a Privy Council, at Jedburgh. [*Privy Council Register.*]

11th. She held another Council, at Jedburgh. [*Id.*]

15th. She was still, at Jedburgh. [*Id.*]

16th. The queen went to visit her lieutenant, at Hermitage. [*Privy Seal Reg.* xxxv. 77.] This authenticated fact demonstrates the falshood of Buchanan, with the follies of his copyists.

It ought to be here recollected, that from the end of the preceding September, Bothwell had become one of Murray's faction; and was a conspirator against Darnley, at the time, that the queen paid him a visit, on the 16th of October: And from that time, Bothwell continued to act, as one of Murray's faction.

Mem. In every question, concerning the gallantry of Bothwell, it ought to be remembered, that Bothwell, on the 22d of February 1565-6, married Lady Jane Gordon; a circumstance this, with which the queen was perfectly aware; but, she was not aware, that Bothwell had entered into a plot with Murray against the king, on the 1st October, a few days *before* he set out, for Hermitage-castle, on the 7th of October 1566.

It may be of importance to examine a little how far Buchanan's Journal, with regard to the queen, and Bothwell, agrees with the notices of the Records.

Nov. 5, 1566. The queen and Bothwell came to Kelso; and there abode two nights.

Nov. 7. They came to Langton.

Nov. 9. They came to Wedderburn.

Nov. 10. They came to Coldingham; where the lady Reres, and her company, were taken by the watch.

Nov. 12. They came to Dunbar, where they staid *two nights*.

Nov. 5, 1566. At Jedburgh, there were present, in the Privy Council, the Earls of Murray, *Bothwell*, Athole, Rothes, Ross, and Orkney; with the officers of State: and several private causes were decided there, in which the Warden of the Marches, Sir Walter Kerr was plaintiff. [*Privy Council Reg.* of that date.]

Nov. 10. The Privy Council sat at Kelso; and decided a privy complaint. [*Id.*]

Nov. 19. Mr. Secretary Maitland, who was present, during the queen's whole excursion, gave the following account of her journey homeward: The queen being convalesced, departed from Jedburgh and came first to Kelso; whence, after she had there passed two nights, she went to Home, and in the way visited Wark: From Home, where she remained two nights, she passed to Langton, and Wedderburn; and there took purpose, to visit Berwick; and, upon the 15th, she passed thither, accompanied by 800, or 1000 horse: Sir John Forster, Lord Bedford's deputy, came and met her, at the bound-road, with the cap-

Nov. 16. She came to Tamtallon, the laird of Basses.

Nov. 17. They both [the queen and Bothwell] returned to Craigmillar; and began to reason upon the divorce, between her and her husband: and, there abode to the 23d of December. In this time, the king came, from Stirling, and offered himself to her; and was repulsed.

tains, and honest men of the town; amounting to 60 horse, and doing her all manner of honour, convoyed her to Aymouth: From this, resting one night, at Coldingham, she came to Dunbar; and from that to Tamtallon; passing forwards to Craigmillar. [Keith, 353-4.]

Nov. 18. From Dunbar, the queen wrote to the Privy Council of England. [*Ib.* 364.]

Nov. 18. The earls Huntley, Bothwell, Murray, and Secretary Maitland, wrote a joint letter to Secretary Cecil, from Dunbar, where the queen, and her Council still remained. [*The original is in the Paper Office.*]

Nov. 23. The queen with the Earls of Huntley, and Argyle, Bothwell, and Murray, and other courtiers, returned to Craigmillar; as we may infer, from the Privy Seal Record.

Nov. 26. The king returned, to see the queen, says Le Croc, in his letter; and the day before yesterday [30th Nov.] he desired to speak with me half a league from Edinburgh.

But, of such comparisons of the *falshood* with the *fact*, enough! The abominations of Buchanan are sufficiently apparent: But, what shall we say to the Earl of Murray, who knew the truth; yet gave such falshoods in evidence!

Oct. 17, 1566. The queen was taken ill.

25th. Bothwell first appeared, in Council, at Jedburgh.

28th. The king came, from Glasgow, to visit the queen; and remained one night.

From the 9th *Oct.* to the 8th *Nov.* The queen, and her Court, remained, at Jedburgh.

The following Notices are so many Charges, in the Treasurer's Accounts; being taken, from his Books, which still remain, as of Record.

Oct. 17, 1566. To ane boy passand off [from] Jedburgh with an mass of writings of our Soverains to the Earl Bothvile - - 6*sh.*

31st. By the queen's command bocht ane boll of keipit meill, four stains of cheis; and 3 horse provydit, to truss [carry] the same to the *Armitage*, with utheris necessaris - - - - - - - - 24 *sh.*

By the queen's precept, to Maister John Balfour; to *gif the pure, in Jedburgh* - - - - - - - - - - - £20

Nov. 30th. For expenses maid upon the lordis compositouris, in Jedburgh, fra the *9th day of October* to *the 8th day of Nov.* instant; as the diat buke beris - - - - - - - - - £728 6 2

Item to the Justice General, fra the 9th October to the 8th Nov. £3 a day - - - - - - - - £90

Item to Sir John Bellendene of Achinoule, Kt. Justice Clerk, for his ordinar and clerks, remaining at the *Airs of Jedburgh*, fra the 9th day of October to the 8th of November inclusive, 31 days, ilk day, to himself and clerks 40 *sh.* - - - - - - - - £62

Item to the dempster in Jedburgh - - - - 40 *sh.*

Item for the mail [rent] of the Lordis Compositouris hous, in Jedburgh, to the Lady Phainihirst - - - - - - £40

Item to [by] the Lordis Compositouris command to John Hume *playar upon the lute* - - - - - - - - - - 40 *sh.*

Item at the Lordis Compositouris command to James Heroun player upon the pipe and quhissill - - - - - £4

Item to 20 apill garnattis and 6 Sidronis brocht furth of Edin^r. to Jedburgh to the quenis grace, her majestie being seik, for the tyme, [Drugs] - - - - - - - - - £3 13

Item payments to several boys for passing with "close writings of our soveranis": to the Countesses of Eglentoun and Sutherland, the Ladies Levingstoun, and Elphinstoun, to the Countesses of Crawford, Athol, Cassillis, and the Ladie Drummond; and to the Ladies Seytoun, and Bothwick. [Inviting them to the baptism of her son.]

Dec. 28th. To ane boy passand off Striveling with close writings of our soverain to the *Erl of Murray*, in *Sanct-androis*. - 12 *sh.*

No. II.—*Proofs of Mary's Reconcilement to Darnley, before she set out, to bring him, from Glasgow.*

Amantium iræ amoris redintegratio est.
The falling out of lovers is the renewment of love.

1. WHEN the queen heard of her husband having been taken ill, soon after his arrival, at Glasgow, she sent her own physician to take care of him; as we know from the Earl of Bedford's letter of the 9th of January 1566-7 to Secretary Cecil. These facts evince how ill-informed Robertson was, when he talked, idly, of the queen's "neglect of him, when his situation rendered it most necessary." [*Hist.* i. 407.] Having a young child, she did better, than visit her husband, who had taken *the small-pox*; she sent *her own physician.*

2. Bishop Lesley, who knew the queen's secrets, and was worthy of knowing them, says, expressly, that the queen, hearing of her husband's repentance, was fully reconciled to him, and hastened to comfort him, as soon as she, conveniently, could, at Glasgow. [*Defence*, 1569, p. 7.] This fact, of positive reconcilement, is much stronger evidence, than the mere inference, which Robertson, and Laing, draw, from the queen's letter of the 20th of January 1566-7, in Keith's Preface, which is only evidence of her vexation, on hearing rumours of the design of Darnley, and Lennox, to proclaim her son, which, upon examination, she found to be groundless: But, it does not prove, that a wife, hearing of the repentance of her husband, who wished to see her, remained inexorable, even at the moment, that she became reconciled to the husband, from whom she had refused to be divorced. The Scotish historians seem to have thought, contrary to the experience of daily life, that the quarrels of husband, and wife, like the disputes of polemicks, remain irreconcileable for ever.

3. The declaration, which the French envoy, Le Seigneur Clernault, made, at Berwick, on the 12th of February 1566-7, only two days after Darnley's death, is quite clear, that the queen and king were reconciled.

"Le seigneur de Clernault, par la nouvelle quil a apportee de la mort de roy descosse dict, que le dict s^r roy estant loge en ung des boutz de la ville de Lislebourg, et la royne a lauttre, las dame le vint veoir ung dimanche au soir, qui fut le ix^me de ce mois environ, les sept heures avec tous

les seigneurs principaulx de sa court, et la apres avoir este environ deux ou trois heures avec luy, se retira pour aller en une nopce de quelqun de ces gentilzhommes ou elle avoit promis, et sans laquelle promesse, il est a croyre quelle fust demouree jusques a minuict ou une heure, veu la bonne intelligence et union, en quoy las dame et las s^r roy viuoient depuis trois sepmaines, cestant venue a las nopce ny arresta pas longuement dautant que pour avoir beaucoup demoure, et quil se faisoit tard ung chũn commancoit a se retirer, Qui fut range que ladicte dame sen alla coucher, Environ les deux heures apres minuict ou ung peu apres on ouyt ung tres grand bruict comme si on eust tiré une vollee de vingt cinq ou trente canons; de facon que ung chũn sen esueilla et ayant envoye las dame pour scavoir dou venoit tel bruict, on suivit toute la ville, en fin on vint jusques au logis dudict s^r roy, lequel on trouva toutallement raze, puis cherchant ou se pourroit estre le trouverent a soixante ou quatre vingtz pas de la dicte maison mort et estandu en ung jardin, aussi ung vallet de chambre et ung jeune paige:

"La chose estant rapportée ainsi a ceste pauvre princesse chũn peult penser en quelle peine et agonie ou elle sest trouvee, mesmes que telle malaventure est advenue au temps que sa ma^te et le roy estoient au meilleur mesnaige que lon pouvoit desirer, de sorte que le dict s^re de Clernault, la laissee affligee autant que le peult estre, une de plus mal fortunees roynes de ce monde, on sest bien apperceu que telle malheureuze entreprise procedoit dune mine gouvz terre; toutesfois elle na point encores este trouvee, encores moins scait on qui en est tant heure." [*From the Pap. Off. New Series*, No. 17.]

4. Nelson, in the evidence, which he gave before the queen, and council, of England, states several facts, which evince the reconcilement of the queen, and king. [Goodall, ii. 243.]

5. The continuator of Knox speaks, very explicitly, of this sudden change, and reconciliation, of the queen, and king. [Knox, *Hist.* 404.]

From all those proofs, it is quite clear, whatever Robertson, and Laing, may infer, from a document, which does not apply to the point, that the queen was reconciled to her wayward husband, when she set out, to bring him, from Glasgow to Edinburgh; and continued, in amity with him, till the moment of his death.

From those proofs of the king, and queen's, reconcilement, it should seem to be impossible, that she could have written, the coarse, and abomi-

nable letters, from Glasgow; it is equally impossible, that she could have entered into a conspiracy against her husband, though she had heard it rumoured, that Darnley, and his father, had entertained thoughts of a conspiracy against her.

No. III.—*Proofs of the* Time, *when the Queen went to Glasgow; to bring Darnley to Edinburgh.*

In history, as well as, in jurisprudence; the best possible proof of the point, in question, ought to be required, and given.

On the 20th of January 1566-7, says Birrel, in his Diary, the queen departed out of Edinburgh to Glasgow to visit the king. But, the queen's letter to her ambassador, at Paris, on the same 20th of January, which is printed in Keith's Preface, evinces, that Birrel is mistaken. "On the 21st of January," says the feigned, and falsified Journal of Buchanan, and Murray, "the queen took her journey, to Glasgow." [Anderson's *Col.* ii. 271.] Robertson adopts this authority, though he seems ashamed to quote, so fictitious, and false, a paper; and of course, he writes, credulously, as well as, calumniously, throughout the whole narrative of Darnley's sickness, and Mary's journey, to visit him. [*Hist.* i. 407-8.] But, she, undoubtedly, remained at Edinburgh, on the 22nd of January; as we know, from documents, which were signed, by her, at Edinburgh, on that day. *Privy Seal Reg.* xxxvi. 44, and *Ib.* fol. 114, which were both quoted, by Goodall, i. 122. I have discovered two other records, which speak to the same point: There are several other deeds, which were signed, by the queen, at Edinburgh, on the 24th of January, in the same record, fol. 34, and 94; and in the *Register of Signatures*, Book ii.: And those two registers, thus concurring, in the registration of the same facts, establish the truth, beyond a question, that the queen was still, at Edinburgh, on the 24th, doing the public business. If the records, then, be, incontrovertible, as the proper vouchers, for the truth; then, must the deeds, remaining of record, evincing, that the queen signed such documents, and other public instruments, at Edinburgh, on the 24th of January, be acknowledged to be decisive proofs of the mere fact, whether the queen were, at Edinburgh, or at Glasgow, on the 24th of January. If Robertson, and Laing, after all their enquiries, prefer fiction to facts; if they would

rather quote an evident forgery, than unerring records, they must be left to their reveries. If the judges of the land will not, on questions of right, allow lawyers, to impeach the authenticity of records, are factious writers, and fictitious historians, to be allowed, to vilify what they cannot disprove?

As the queen, indeed, usually travelled, after dinner, she may have set out, from Edinburgh, on the afternoon of the 24th of January, and reached Linlithgow, in the evening; and on the morrow, have arrived, at Glasgow, in the afternoon of the 25th of January. This examination is of great importance, to the truth of history, as well as to the innocence of the queen: For, if the records be true, the queen could not have been, at Glasgow, on the 22nd, the 23d, or 24th of January 1566-7, when she was at Edinburgh, on the same days: And so, could not have written, from Glasgow, the letters, which have been imputed to her: And thus do those records evince the forgery of those letters, by establishing an *alibi*, as well as the queen's innocence, if an *alibi* be incontrovertible proof.

Now; if the queen was reconciled to her husband, *before* she went to Glasgow to visit him; then, are the letters, which were said to be written, from Glasgow, to Bothwell, forgeries.

If she remained, at Edinburgh, on the 24th of January 1567, then, are the same letters, which are said to be written, by her, from Glasgow, on, or before, that date, certainly, forgeries.

No. IV.—*Of the Examinations, and Depositions, of William Powrie, George Dalgleish, John Hay younger of Tala, and John Hepburn of Bolton.*

1st. THE deposition of William Powrie in presence of the "Lords of Secret Council" at Edinburgh the 23d June and 3d July 1567. [In Anderson's *Coll.* ii. 165-173.]

2d. The deposition of George Dalgleish, in presence of the Earls of Mortoun and Athol, the Provost of Dundee, and the Laird of Grange, at Edinburgh, the 26th June 1567. [*Ib.* p. 173-177.]

3d. The deposition of John Hay, before the Regent and Council, at Edinburgh, the 13th Sept. 1567. [*Ib.* p. 177-183.]

4th. The deposition of John Hepburn, before the Regent and Council, at Edinburgh, the 8th December 1567. [*Ib.* p. 183-188.]

Powrie, and Dalgleish, were the menial servants of Bothwell; and Hay, and Hepburn, were his followers, and the last his relative. Their depositions run almost entirely on the execution of the deed, and contain little or nothing about the previous intrigue, which it was not the purpose of those, who managed their examinations, to disclose. Hay, and Hepburn, state that the matter was communicated to them by Bothwell, a few days before the execution. Hepburn deposes, that Bothwell opened the matter to him in this manner, "Thair is ane purpose devisit amongs some of the noblemen, and amongs the rest, that the kinge sall be slane, and that every ane of us sall send twa servandis to the doing tharof:" And he desired Hepburn to be one of the enterprisers for him, &c. [Anderson, ii. 183-4.]

There is another passage, in Hepburn's deposition, which tends to prove, that the queen was *not* an accomplice of Bothwell, or under his management, in this deed: Hepburn deposes that on the night of the deed, when they were employed, in carrying in the powder, and preparing matters, Bothwell came out, and asked if all was ready, "and *bade thame haist, before the queene come furth of the kingis house, for gif she come furth before thay ware reddy, thay wald not find sic commodity.*" [Anderson, ii. 185.] Now, if the queen had been in the knowledge of the deed, there would have been no occasion, for Bothwell's anxious urgency, as he would have only had to whisper her, to remain a little longer, to give his people time, to complete their preparations. All the before-named, Powrie, Dalgleish, Hay, and Hepburn, were tried, condemned and executed, at Edinburgh, the 3d January 1567-8. They all made dying declarations; but, pains were taken to suppress them, or misrepresent them, as much as possible. Hence, they were not preserved, or published, at length; but Bishop Lesley has given some circumstances in them: In his Defence of Q. Mary's honour, in addressing *Murray, and Morton, &c.* he says that, when John Hepburn was executed, for the traitorous fact, more than 5000 people heard him, openly, say, and testify, as he should answer to God, that you were principal authors, counsellors, and assisters, with his master, of this execrable murder; and that his said master so told him; and farthermore, *that he himself had seen the indentures we spake of.* [*Defence*, 1569, reprinted by Anderson, i. 76.] The bishop, also, avers that, Hay, Powrie, and Dalgleish, also, declared, at their execution, as they should answer to

God, that this murder was committed by the counsel, invention, and drift of Murray, and Morton, and that they never knew the queen to be participant, or aware thereof: And, he says that Nicholas Hubert, called French Paris, made a solemn *declaration, at his execution*, to the same purpose. The Bishop of Ross, Lord Herries, and the Abbot of Kilwinning, queen Mary's Commissioners, declared, that none of them ever knew any thing of the conspiracie, nor who were the devisors, inventors, or executors of the same, *till it was publickly revealed, long thereafter, by some of the executors, who suffered death therefore.* [Goodall, ii. 308.]

The Convention of thirty-five nobles, at Dunbarton, 12th Sept. 1568, aver, that Murray, Morton, &c. were charged with being the authors of the king's murder *by the declarations of those, who suffered death, therefore;* who declared, at the same time, the queen to be innocent thereof; and the nobles themselves infer the guilt of Murray, and his associates, from the proposals, which they urged, at Craigmillar. [Goodall, ii. 359.]

Buchanan has given, in his *Detection*, some scraps, as he professes, of the dying declarations of these men; and though these are, artfully, misrepresented, to convey an insinuation against the queen; yet the truth breaks out a little: He makes John Hepburn say that, although knowledge should be gotten of the deed, he thought "na man durst have said it was evil done, *seeing the hand writs.*" And he makes Dalgleish say, "If I die for this, the which God judge me, if I knew more, what *shall be done to them, who was the devisers, counsellors, subscribers and fortifiers of it?*"

Six years after the execution of Powrie, Dalgleish, Hay and Hepburn, another of the guilty agents, John Ormistoun of Ormistoun [in Teviot dale] was tried, condemned, and executed, at Edinburgh, the 13th of December 1573; and he then made a dying confession, and declaration, to John Brand, Minister at Holyroodhouse, which Brand wrote down, from his mouth, and read over to him, in presence of a number of gentlemen, and servants: And it has been published, by Arnot, in the *Appendix* to his *Criminal Trials*, p. 383-388. Ormistoun said that, Bothwell opened the matter to him, on Friday, 7th Feb. before the deed was done, and required him to take part therein. Ormistoun declined; upon which the "Earl said unto me, Tuishe, Ormistoun, ye need not tak feir of this, *for the haill lords has concludit the samen, in Craigmiller:* All that was there with the queen, and nane dar find falt with it, when it shall be done." He also states that, at Pasche, thereafter, when the bruite began to rise on

Bothwell, Ormistoun called on him, and spoke to him of this, and put him in mind of what he said; to which Bothwell answered, "I sall let you see sumething that I had for me; wha then let me see ane contract subscryvit be four or fyve hand writtis whilk he affirmit to me was the subscription of the Earl Huntlie, Argyl, Secretar, [Lethington] and Sir James Balfour; and alleadged mony mae promisit, wha wald assist, or he were put at; and therafter read the said contract, quhilk, as I remember, conteinit thir words, in effect, 'That, forsamikle it was thought expedient, and maist profitable, for the commonwealth, be the haill nobilitie, and lords, underscryvand, that sic ane young fool, and proud tirane, sould not reigne, nor beare rule over them; and that for divers causes, and theirfor, that the haill had concludit that he sould be put off, be ane way, or uther; and whosoever sould tak the deid in hand, or do it, they sould defend, and fortifie, as themselves;'—whilk writing, as the said Earle shewed unto me, was devysit, be Sir James Balfour, subscryvit be thame all, ane quarter of ane yeir, before the deid was done."

"Being inquyred gif ever the quein spake to me of it at any time, or gif he knew what was the queens mind into it? answerit, As I shall answer to God, shoe never spake to me, nor I to her of it, nor I knaw nathing of hir part, but as my Lord Bothwell shew me."

From Fenelon's *Dispatch* of the 5th January 1573-4, Carte states some circumstances of Ormiston's confession, particularly, "that Bothwell had shown him a paper subscribed, by the late Earl of Argyle, the Earl of Huntley, Sir James Balfour, and *the Earl of Morton*, promising their assistance to that effect." [*i. e.* the murder of Darnley.] And he adds, that great care was taken to smother this confession. Carte's *Hist.* iii. 531; Goodall, i. 391-2.

In Robertson's *Hist.* ii. 530, is the notorious Archibald Douglas's letter to queen Mary, in April [1584], giving an account of *a band, and league formed against Darnley*, by Murray, Athol, Bothwell, Argyle, and Secretary Lethington, in which Morton, and his associates joined, before getting their pardon, for Rizio's murder:—And he says, that Darnley's murder was executed "*at command of such of the nobility, as had subscrivit the band, for that effect.*"

In Morton's confession he states, that after he got his remission, for the murder of Rizio, &c. he came from Wedderburn to Whittingham, in East Lothian, where Bothwell met him, and had two several discussions, with

him, about cutting off Darnley; of which Morton gives such an account, as suited him; and he had, also, a discussion on the same subject, with Archibald Douglas, who was there, at the same time. After this, and a little before the murder, Morton says, that he being, in St. Andrews, on a visit to the Earl of Angus [his nephew, and ward], Archibald Douglas came there to him, from Bothwell, and had another discussion, on the same subject of the murder, which was then "neir a point." Morton asserts, that he declined to engage, in the murder, as Bothwell could not show him, or get, any writing of the queen's consent to it. But, he admits that, *he never* counselled his cousin, and confidant Archibald Douglas *not to be concerned in the murder*; and that he afterwards received, and associated with Archibald Douglas, who after the deed was done, reported to him, that he, Archibald, had been at the doing of it. [Confession in Bannatyne's *Journal*, 494-6.]

Now; coupling the examinations, and depositions, before mentioned, with the conspiracy, at Whittingham, and the convictions, following thereon, there cannot remain, in any mind, the slightest doubt, whether those conspirators did not murder Darnley: Secondly, from the conception of the plot, for that odious end, till its completion, we always see Bothwell acting, with the conspirators; but, *never with the queen*, who is constantly exonerated, by those, who were executed, for their guilty participation, in that murder.

MEMOIR II.

Memoir of Francis II.

THE first husband of the Scotish queen was born, at Fountainbleau, on the 20th of January 1543, the son of Henry II., and Catharine of Medicis. By the death of their son, Lewis, who died young, Francis became Dauphin of France. When Henry II. perceived the purpose of Henry VIII. to marry his son, Edward, to Mary Steuart, by whatever means of treaty, or of treachery, he felt this blow to be aimed, at his own state: and, he invited the young queen of Scots to France; as a proper wife, for his son, the Dauphin, and heir. The courtship of Henry VIII., and of Edward VI., was so overbearing, and oppressive to the Scotish people, that the Estates of Scotland resolved, with one assent, in July 1548, to send their queen, who was still under six years of age, to France, for her education, and marriage: With her numerous attendants, she arrived, safely, in the French gallies, at Brest, in the subsequent month: She was received by the French court, with all the attention, which was due to her rank, and all the kindness, that her intended spousals demanded. Henry sent notice to the Protector of England of this fortunate event, of the queen's affiance with the Dauphin, of the investiture of her kingdom, which, considering those happy circumstances, he felt it his duty to defend[m].

Francis was, from nature, weekly, both in body, and mind: and of course, he did not make the same progress, as his destined spouse, either in stature, or in study. They were married, however, on

[m] Ribier, 151-2.

the 24th of April 1558, in the church of Notre Dame, at Paris, with every circumstance of eclat, that could add to their satisfaction, or to the gaiety of the people; when Francis, and Mary, were anointed, and crowned[n]: Francis was, from this epoch, during the life of his father, called the King-dauphin: And, Henry II., in an evil hour, caused his son, and daughter, to assume the title, and armorial bearings of Scotland, England, and of Ireland. On those events, there were equal rejoicings throughout Scotland. The Scotish Parliament now identified this kingdom with France; and conferred on Francis *the crown matrimonial*, of which they had never heard, till that epoch of their fame, and fortune.

In the subsequent year, the treaty of Cateau-Cambresis gave peace to Spain, France, England, and to Scotland. Calais was, by stipulation, to remain eight years, with France; and then, to return to England, upon this condition, however, that during the same period, Elizabeth should enterprise nothing against either France, or Scotland[o]: But, saith Henault, as she broke that condition, by sending supplies to the revolted admiral, in France, and to the insurgents, in Scotland, Calais remained with France; Elizabeth being a meddler; by nature, and Cecil, her minister, being crafty, by habit.

While the rejoicing, for this peace, still continued, died Henry II., by a playful stroke of Montgomery's spear, on the 10th of July 1559. The King-dauphin succeeded, immediately, to his father's dominions, at the age of fifteen, as Francis II.; and he was anointed, and crowned, at Rheims, on the 18th of September, by the Cardinal of Lorraine, Archbishop of Rheims, the queen's uncle[p]. Francis found the court divided into two factions; that of the Guises; and that of Montmorency: After the revolt of the Constable de Bourbon, the princes of the blood, being unable to form

[n] Menin's *Hist. Treatise of the anointing, and crowning, the Kings, and Queens, of France*, 250.

[o] Rym. *Fœd.* xv. 509; Henault *Ab. Chron.* 476-7.

[p] Menin's *Treatise*, as above, 88.

a third faction; the youth, and infirmity of Francis II. induced him, to confide the burden of government to his mother, the queen, with the aid of a council. Few princesses were equal to Catharine, in spirit, in prudence, and address, any more than in beauty and elegance: yet, did she find it very embarrassing to elect a Council, among the princes of the blood, while she hated the constable Montmorency: In these circumstances, she preferred the princes of the house of Guise; making the Duke de Guise, the commander in chief of the army; and the Cardinal of Lorraine, the first minister of France. The cardinal found the country, suffering under a debt of two and forty millions: But, he created great discontent, when he prohibited, by sound of trumpet, the crowd of solicitors, to avoid the court; yet, by the month of March 1560, the minister, by management, and economy, freed the nation, from this burden. During this reign, owing to the circumstances and turbulence of the times, this kingdom suffered almost every evil, which can afflict a people. France abounded with great men, who all pretended to govern, while none of them would obey. The princes of the blood assumed a right to rule their country, during the king's minority: and, the Greffier Du Tillet wrote his book, of the Majesty of Kings; in order to prove, what did not want much proof, that the king, though a minor, might choose his own Council. Amidst all those parties, ambition was the real motive, while religion was, merely, made the specious pretext, for raising disturbances, and committing crimes, in France, as well as, in other countries, during an age of innovation.

The Prince of Condé assembled the discontented, in 1559, within his castle of de la Ferté, to whom he explained his own complaints, as well as those of his brother, the king of Navarre; and he declared himself the chief of the revolt, but wished it to be concealed. Coligny, and the Vidame of Chatres, engaged to draw the Huguenots into this concert: And Renaudie was chosen the chief of the Calvinists; and having gone to England, returned with good hopes of Elizabeth's aid. He ran over France among

the Calvinists; and assigned the part, which the chief of each district was to act, during the proposed revolt. In 1560, the revolt broke out into what was called the conspiracy *d'Amboise*. The end, which was discovered, was to slay the Cardinal of Lorraine, and the Duke of Guise. Renaudie was the chief of this enterprise: But, the whole being discovered, was, on the 15th of March, easily disappointed, when many were slain. Amidst this effervescence, the natural result of religious zeal, and ambitious greatness, the king, on the 18th of October, caused the Prince of Condé, and the King of Navarre, to be arrested: The first was condemned to death; but, the judgement was never executed, on this guilty prince: Anthony Minard, the President of Parliament, who was attached to the ancient forms, and had been curator of Mary Steuart, was shot, in the evening of the 12th of December, as he was riding on his mule, from the palace, by a Scotsman, named Stewart, as it was supposed [q].

Amidst those distractions, arising from such a state of society, when the rulers were weak, and the grandees turbulent, the health of Francis II., gradually, declined, till the 5th of December 1560, when he died at Orleans, of an imposthume in the ear, at the premature age of 17; after reigning 16 months, and 24 days. There was a monument erected to his memory, in the church of the Celestines, in Paris [r]. Of the king, discontent could, only, say, that he was young, and feeble: Of the queen his wife *huguenoterie*, without being able, to traduce her person, or impeach her prudence, could only calumniate her kingdom. Francis, dying without issue, was succeeded by his younger brother Charles IX., who

---

[q] Henault *Ab. Chron.* Forbes's *St. Pap.* ii. 89. One Stewart, at the battle of St. Denis, gave a mortal wound to the Constable Montmorency: "Do you not know me?" said the venerable Constable: "Yes;" said Stewart, "it is because I do know you, that I have given you a mortal blow." The Constable had strength enough remaining to knock out the assassin's teeth with the pommel of his sword. See *Antiquités Nationales*, 76; Whitaker's *Vindication*, i. 262-4.

[r] The following is a copy of the inscription, from "*Les Epitaphes, Inscriptions, et*

was governed by his mother, Catharine, who delighted, to ride on the whirlwind, and direct the storm. This change was not much regretted; as the grandees, like the nobles of Scotland, seemed to relish more a *real minority* than an *imaginary majority*. This alteration, however, induced the widowed queen of Scots, to think, with many a sigh, of returning to her own kingdom, which was still more distracted, by religious innovators, and disturbed, by political pretenders, who were incited by Cecil's arts, and supported, by Elizabeth's power[a].

Armoiries qui sont sur les Tombes dans les Eglises et Cimetterres de la Ville de Paris." Par Pierre d'Hosier. MS. Tom. ii. 244.

" *Francois deuzieme* Roy de France et d'Escosse fils de Henry 2 et de Cathérine *de Medicis* naquit a Fontainebleau le 20 Janvier 1543."

Il espousa Marie Stuart Reine d'Escosse fille unique de Jacques 5 Roy d'Escosse et de Marie de Loraine, déceda a Orleans le 5 Decembre 1560, ayant regné 17 mois. Son corp gist a S[t] Denis; et son cour est inhumé en la dite chapelle d'Orleans dans un vase d'ore, sur lequel un ange tient une couronne en l'air qui est de bronze posé sur une haute colomne de marbre blan semée de flames de feu, au pied de la quelle il y a trois petits enfans qui tiennent chacun un flambeau mettant le feu au pied de cette colomne. Aussi le prince portoit pour dévise une colomne ardente en laquelle est une bande couronnée avec ces mots, " *Lumen rectis.*" See the *Musée des monumens Français.* Tom. ii. pl. 55; *Ib.* Tom. iii. pl. 114: And see the annexed plate.

[a] See Keith's *Hist.* under the years 1559, and 1560.

MEMOIR III.

Memoir of Henry Steuart, Lord Darnley, the second Husband of the Scotish Queen.

THE person, whose fortune, and whose fate, are now to be investigated, was the *second son* of Matthew, Earl of Lennox, by Lady Margaret Douglas, the daughter of the princess Margaret, the widowed queen of James IV.; who married, for her second husband, the Earl of Angus, after the fall of the Scotish king, at Floddon-field [t].

When, or where, Lord Darnley was born, is somewhat doubtful. His eldest brother, who was also named Henry, died on the 28th of November 1545, three quarters of a year old: Whence, we may infer, that the second Henry, Lord Darnley, was born some time, in 1546; and of course must have been nearly four years younger, than Mary Steuart, who was born, on the vigil of the conception of our Lady, in 1542 [u]. And, he was born, probably, at Temple-Newsome, the principal seat of his father, in Yorkshire.

The earliest notice of Darnley is a letter, which he wrote, in March 1554, to his cousin, Mary Tudor; and which, by a strange oversight, was supposed to be written to Mary Steuart [v]. Whether Darnley derived, from this epistolary intercourse, with Mary of England, any of his perversity of temper, or his traits of popery, cannot now be known. Ten years, thereafter, we see him, at the

[t] Sandford's *Genealogical Hist.* 524-5-6. [u] *Ib.* 529.

[v] *Cat. of R. and N. Authors*, v. 25. Mary Stewart was then in France, a girl of twelve; acquiring those accomplishments, which attracted the notice of Europe.

court of Elizabeth, bearing the sword before her, as a prince of the blood[w].

During the years 1559 and 1560, Lennox, the father of Darnley, entered into various intrigues, both in Scotland, and in England, for regaining his ancient rights, which he had lost, in the first country, by attaching himself to the last. Upon the demise of Francis II., the youthful husband of Mary, on the 5th of December 1560, Lennox, and his wife, under the pretence of condoling Mary, on her recent loss, renewed, and extended their intrigues, at Paris, in the well-founded hopes, that the pretensions, and the person of their son, might induce Mary, to think of him, as a proper partner of her bed; since she had no issue, to keep up a continual claim to the two crowns of the British Isle: These several intrigues of Lord and Lady Lennox, did not escape the eagle eyes of Secretary Cecil, who allowed none of the current events to pass unheeded by him[x]. Never did any sultan of Constantinople

---

[w] Melvil's *Mem.* 48. Queen Elizabeth, when running out, at the ripe age of 31, in praise of her favourite, Leicester, said to Melvil, queen Mary's Ambassador, "You like better yonder *long lad*," pointing to Lord Darnley: My answer was, said Melvil, that no woman of spirit would make choice of such a man, who more resembled a woman: for, he was handsome, beardless, and lady-faced. This language of the Scotish ambassador was *deceptive;* in order, that Elizabeth might not suppose, he had any particular thoughts of him; while Melvil had a secret charge, by means of Lady Lennox, to procure leave for Darnley to go to Scotland, where his father had already arrived; under the pretence of seeing the country of his ancestors, and of convoying his father back to England. The Earl of Lennox had been well received, in Scotland, in consequence of Elizabeth's recommendations; his forfeiture was repealed, by Mary's influence: and his estates were restored. The title of Lord Darnley had also been taken, from the heir of John, commendator of Coldingham, and given back to Lennox.

[x] He caused some of the confidential agents of Lord Lennox, and his wife, Elizabeth's cousin, to be examined, who, with much *gossip*, disclosed, that Lady Lennox, when she heard, that queen Mary had arrived safe, at Edinburgh, fell down on her knees, and with uplifted hands, thanked God, that the *Scotish queen had escaped the English ships, which Elizabeth had sent out, to intercept her passage.* Lady Lennox was committed to ward. In the Paper-office, and the British Museum, there is a vast magazine of State documents, which illustrate these obscure intrigues.

feel more intensely, than Elizabeth, the Turkish spirit of not suffering any relation to approach her throne.

With the consent, and even recommendation of Elizabeth, Lord Darnley set out, from London, for Scotland, on the 3d of February 1564-5; as we know from Stow: And, as he called at Temple Newsom, he did not arrive upon the Tweed till the 10th of the same month[y]. He hastened to Edinburgh; giving some disgust on his way to those, who wished to court Darnley; because he was protected by Elizabeth, when he first appeared among an envious nobility: He found, that Mary was in Fife; and Lennox, in Athole: And, he rested, in the capital, till his father informed this inexperienced youth, that he ought to pay his first duty to the queen[z]. According to Cecil's *Diary*, on the 13th of February, Darnley arrived at Edinburgh; and on the 16th he came to the queen. The Scotish historians, would have us believe, that Mary

[y] In the Paper Office, there is a dispatch, from the Earl of Bedford, the queen's lieutenant, on the eastern march, to Mr. Secretary Cecil, dated on the 11th of February 1564-5: "Your letter of the 5th of this present, I received on the 9th, together with letters to the Lord Darnley, who came hither, yesterday; and so, have I delivered him her Majesty's letters, which he very humbly received: He departed hence, this day, whom I could not entreat to tarry so long as till dyner-time: I used unto him all the honour, and courtesie, I could, for the blood sake, whence he is descended;" [Henry VII., being his great-grandfather, Margaret, the queen of Scots, by the Earl of Angus, his grandmother; and Lady Margaret Douglas, Elizabeth's cousin, his mother, by the Earl of Lennox.] Darnley thus appears to have been well born: Happy! if he had been as well bred. We may see, however, in Bedford's epistle to Cecil, with what recommendations Darnley entered Scotland, whatever Elizabeth might afterwards say, to the contrary.

[z] In the Paper Office, there is a letter from Randolph to Cecil, dated, on the 19th of February 1564-5, at Edinburgh: "The late arrived guest came, at night, to Dunbar, from Berwick: the next day, he rode no farther than to Haddington: In his way to Edinburgh, *he dined at Lord Seton's*, which was ill taken, by *the Douglas*, for the discord that is, between that house, and them, for the hurting of Francis Douglas. At Edinburgh, Darnley tarried three nights; attending an answer, from his father, whether he should come to him, at Dunkeld, where his father was, with the Earl of Athol, or go to the queen, at the Lord of Murray's, in Wemyss-house, in Fife. Upon Friday last, having received word from his father, to repair to the queen, he went over

fell, desperately, in love with Darnley, at first sight: They would have us suppose, as, simply, as themselves, that the widowed queen, at the age of twenty-two, who knew the world, and had seen the most accomplished gentlemen, in Europe, was a boarding-school miss, who had never till now seen a man: Robertson, one of the latest of those historians, supposes Mary to have been captivated, by his *gigantic figure!* We must remember, however, that he was, merely, "a long lad" of *nineteen*[a]. The historians were ignorant of Lady Lennox's intrigues, for her son. All eyes were now turned to Darnley, who seemed to please most eyes; as his defects were not yet seen. It was, indeed, suspected, said Randolph to Cecil, "that Darnley's presence may hinder *other purposes*, and that his religion was popish."

Meantime, Lennox, *Darnley's father*, remained, at Dunkeld, with the Earl of Athol, who had linked his interests with theirs; being influenced by Secretary Maitland, who had been gained, by the presents of Lady Lennox. The Earl sent a letter of acknowledgement to Elizabeth; "for her late favour, in writing the queen, about Darnley;

---

the water [the Frith of Forth] to Weinyss-house, where he was well received of the queen, and also lodged in the same house: But, what more passed, I know not. While Darnley tarried in Edinburgh, divers resorted to him: These like well of his person; what to judge of his other qualities, the time has not yet been sufficient to tell. There are a great many here, that do not wish him well: some suspect his religion; yet, they fear, without cause, more than I do: Darnley's arrival was so sudden, that every one was surprised: I lent him a couple of horses, as his own were not yet arrived."

[a] Let us now hear Sir James Melvill's account, who was present, of what Mary said of Darnley: "He found the queen making her progress through Fife. Her majesty took very well with him: and said, that he was the properest, and best proportioned *long man*, that ever she had seen: For, he was of a high stature, long, and small, even, and straight: After he had haunted the court, some time, he proposed marriage to her majesty, which proposal, she, at first, pretended to disrelish; as that same day, she herself told me, and that she had refused a ring, which he then offered unto her." Such, then, is the fact, as we have it from Melvill's *Mem.* 56. Happy! had all been like this. It may here be recollected, that Mary, herself, was one of the largest sized women; and her mother was still larger.

for giving him leave to come to Scotland, on the occasions mentioned[b]." We shall perceive the bark of Darnley to sail, with wind, and tide, while the breath of Elizabeth filled her sails. Of course, he found no difficulty, in making his journey from Wemyss, in Fife, to Dunkeld, where he saw his father; and after, hastened to pay his court to Mary, when she came over the Forth, at the Queen's-ferry[c]. Darnley continued *to haunt* the court: And the queen, as early, if not earlier, than the 17th of March, seems to have fixed her affections on him, as the fittest husband; considering his whole pretensions; and she sent Secretary Maitland to solicit Elizabeth's assent[d].

[b] This letter of Lennox was dated, from Dunkeld, on the 21st of February 1564-5; transmitted to her, by Randolph, and remains in the Paper Office. Lennox had obtained every thing, that he could wish, in the settlement of his affairs; and Lady Lennox, in order to remove every obstruction to Darnley's wishes, and the queen's desires, had released to the Earl of Angus all her claims on her father's estates; so that the Douglases received a great boon: And, the queen thereupon granted a charter of confirmation to the Earl of Angus, dated the 11th of November 1564. My Lady Lennox, and Sir Nicholas Throckmorton, sent many good advices to the queen; to be followed as occasion offered. My Lady Lennox, also, sent tokens to the queen, a ring with a fair diamond; she sent an emerald to my lord her husband; a diamond to my Lord of Murray; a watch, set with diamonds, and rubies, to Secretary Maitland; a ring with a ruby to my brother, Sir Robert. For, she was still in good hope, that her son, Lord Darnley, would come better speed, concerning the marriage with our queen, than the Earl of Leicester. She was a very wise, and discreet matron, and had many favourers in England. Melv. *Mem.* 52.

[c] Randolph's letter to Cecil, 27th Feb. 1564-5, in the Paper Office: "Yesterday, said he, Darnley, and I, dined with Lord Murray: His lordship's behaviour is very well liked; and hitherto so governs himself; there is great promise of him: Yesterday, he heard Mr. Knox preach, and came in the company of Lord Murray: After supper, and he had seen the queen, and divers ladies, dance, he being required, by my Lord of Murray, danced a *Galliarde* with the queen; who, for all the cold, and storms, came home lustier, than when she went forth." She was absent five weeks.

[d] Keith, 270. Camden, the best informed of all the historians of those times, says; "The queen of Scots, when her marriage had been delayed the full space of two years; and now had pitched upon Lord Darnley, for her husband, suspected, that she had been, deceitfully, used; and that queen Elizabeth only, proposed the mar-

Cecil continued, mean while, to watch the various movements of the queen, and Darnley; in order to perceive the very moment, that the growing affections of Mary should settle on their proper object: and, the English Secretary cried out, Now is it plainly discovered, that the queen will have the Lord Darnley[e]! Every instrument was, instantly, set at work, to disappoint the decided purpose of the queen, and Darnley. Elizabeth declared, with her usual duplicity, that she had never contemplated such a purpose; the English Privy Council gave it as their advice to the queen, that such a marriage would be the ruin of England; and Cecil, with his usual facility, drew up a paper, to prove, that the fittest marriage, for the Scotish queen, was the most unfit. Every measure was adopted to perplex, and oppose the queen of Scots wishes, except actual war; but, a rebellion was incited, and carried on, within Scotland, by Cecil's artifices, and Elizabeth's money. Such were the changes, which a little month, or two, produced, in the weather, of Darnley's fortune, when the breath of Elizabeth produced the happiest gales; mild as when Zephyr breathes on Flora: But, now "forth rush the levant and the ponent winds[f]." The Earl of Lennox, and the Lord Darnley, were recalled from Scotland; but, the Earl refused, to quit his own country; and the Lord chose to remain, in the land of his fathers. The honour, countenance, and entertainment, said Randolph to Cecil, that Darnley hath had, at Edinburgh, make him think no little thing of him-

---

riage [of Mary] with Leicester, to no other purpose, but, to choose [for herself] the best of all the suitors." *Hist. Transl.* 76.

[e] See Cecil's *Diary*, in Murdin, 758.

[f] The Duke, Murray, and Argyle, confederated in a common quarrel against all, except God, and their sovereign, on the 15th of March; that is, against the queen, their sovereign, and Darnley. On the 7th of April 1565, the Earl of Murray departed from the court. The queen, said Cecil, hateth the Duke, the Earl of Argyle, and the Earl of Murray; alleging against the last, that he goeth about to set the crown upon his head. *Diary*, in Murdin.

self[g]. The English ambassador added what is of great importance, that the Lord Darnley, in talking with the Lord Robert, another bastard brother of the queen, was showed by him, on the map of Scotland, what lands the Lord Murray had obtained from the queen; when Darnley said, *it was too much*: This came to Lord Murray's ears, and it passed to the queen's; who advised Darnley to apologize to Murray[h]. We thus see how superior Mary was to Darnley, in knowledge of the world, which forbade him to offend so powerful a favourite. Murray never forgave Darnley, for that invidious observation; which was so inconsistent with the courtier's art.

As early as the first of April 1565, Darnley's prospects were clouded over, by sickness[i]. While he lay thus indisposed within the queen's castle of Stirling, we may easily suppose, that Mary was very attentive to him: It was even said, that he had been continually, visited, by the queen, and well near, at all hours; nor, did she fear, whether the disease were infectious[k]. But, such was the manners of the age, as we might learn, from the practice of Elizabeth, which struck the eyes of puritans with abhorrence. Darnley was scarcely recovered, from the *measles*, when he was attacked by an *ague*: Nor, did the queen's attention, and care, relax in the least, on this fresh illness of the object of her affec-

---

[g] *Dispatch*, 20th March 1564-5.

[h] Keith, 274. Randolph, at the same time, informed Cecil, that the Lord Robert was vain, and nothing worth, a man full of all evil, and the sole guide of Lord Darnley. *Ib.* 272.

[i] Randolph's *Dispatch* to Cecil, in the Paper Office, dated the 7th of April 1565; "Lord Darnley," said he; "for five or six days, has been evil at ease; many took it for a cold; and intending to drive it away, by sweating, the measles came out upon him *marvellous thick*: He was out of danger, when I left Stirling: He lodgeth in the castle, and there is served with a mess of meat, at his own charge, and sometimes hath a dish from the queen's table: Lord Lennox lodgeth in the town, and keepeth house there." Randolph now speaks of the noise, which was made, on the departure, from court of the Earl of Murray, the queen's minister.

[k] The Puritan Bedford's letter to Secretary Cecil, in the Paper Office.

tions[l]. In the conduct of the rival queens, it may be observed, that Mary was engaged to marry Darnley; but Elizabeth only flirted with Essex. Yet, neither Bedford, nor Randolph, was always so severe of manners: "I had the honour," said Randolph to Cecil, "to play a party, at a play called *the Biles;* my mistress Beton [Mary Beton,] one of the queen's maids of honour, and I, against the queen, and my Lord Darnley; the women to have the gain of the winnings: Beton, and I, having the better, my Lord Darnley paid the loss; and gave Beton a ring; and a broche, with two watches, worth fifty crowns; hereupon dependeth a tale, that requires more time, than now I have to write." The State Papers throw no light on that obscure intimation of the calumnious Randolp; and what they do not illustrate cannot now be cleared.

After a thousand intrigues of artful statesmen, it became, at length, apparent, that Elizabeth had induced Mary to adopt Darnley's proposal of marriage, merely, to entrap her rival. Cecil, now, exerted his abilities, and Elizabeth her artifices, to prevent the marriage, which they had both promoted; in order to vex the princess, whom the one envied, and the other hated[m]. Throckmorton, one of Elizabeth's ablest men, was sent to Scotland; to raise objections, and to form intrigues. The English Privy Council came to an adverse resolution, which showed their servility to their queen's humour, more than attention to the national po-

[l] Bedford, and Randolph, both wrote to Cecil of Darnley's illness and the queen's *marvellous care of him,* to the great discontent of those, who were ready to run out into rebellion. MS. Paper Office. Whatever murmuring among a rude populace may have been made, from the artifices of faction, those anecdotes will bring to the reader's recollection the similar conduct of Elizabeth to her favourite Essex: "When Essex," said Walpole, "acted a fit of sickness, not a day passed, without the queen's sending often to see him; and once went so far, as to sit long by him; *and order his broths, and things.*" [*Cat. of Royal and Noble Authors,* Art. *Essex.*]

[m] It appears, from the correspondence of Randolph with Cecil, in Keith, 280, that Mary had received intelligence, from Darnley's mother, "that Elizabeth's displeasure [opposition] to the marriage was full of *affectation,* [artifice.] Lady Lennox was, by the queen's order, confined to her chamber.

licy [n]. In Scotland, it was easy to raise a rebellion against Mary's marriage, however fit, by the corruptest of men: Her very ministers were more attached to her rival than to her; and were more the instruments of Cecil, than lovers of their country [o].

Meanwhile, the Scotish malecontents, and Randolph, the English agent, continued their machinations against the queen, and Darnley. Randolph intrigued with Murray, the chief minister, who left the court, at Stirling; pretending to avid the superstitious ceremonies, which were used by the queen; and intending to practise on the credulity of the vulgar. But, when he left the court, quiet ensued; there being now some relief, from his predominance: Randolph, on his return, from Stirling, soon after, held a conference with the duke, to which no one was privy, but such as were of trust [p]. To Murray's faction, Elizabeth's recommendation of Darnley, gave great offence: And, by this faction was

---

[n] Murdin, 758; Keith, 274: Lennox, and Darnley, were recalled, from Scotland, and the recal countermanded, according to the queen's humour: She even commanded Cecil, to inform Bedford of her countermand, who had sent her letter of recal to Randolph, to be delivered to Lennox, and Darnley: But, as Randolph had departed for Dumfries, to intrigue with the master of Maxwell, to join Murray, in opposing the marriage, Bedford was obliged to send an express after him. Cecil, Bedford, and Randolph, were all mortified at Elizabeth's tergiversation.

[o] As early as the 20th of March 1564-5, Randolph wrote to Cecil:—"The Duke [of Chattelherault] and the Earls of Murray, and Argyle, perceiving their interests affected, seek by the best means they can, to prevent the marriage: their chief trust, next unto God, is the queen's majesty [Elizabeth] whom they will repose themselves upon, not leaving, in the mean time, to provide for themselves the best they can." [Keith, 272.] The duke was, indeed, presumptive heir of the crown; the bastard, Murray, was scrambling amidst convulsions, with the help of Cecil, for Mary's sceptre; Argyle, who had married a bastard sister of Murray, and Mary, seems to have then acted, as the instrument of Murray's ambition.

[p] Randolph's letter to Bedford, 7th April 1565, in the Paper Office. In this letter, that busy intriguer adds, "there were great expectation, what shall become of this great favour borne to my Lord Darnley, which maketh here amongst us such muttering, that burst out it must, some way, or other, to some men's cost" [Lennox and Darnley.]

Randolph required to urge Cecil's endeavours, to prevent the queen's marriage with Darnley: One of the artifices, by which he incited Cecil's activity, was, to assert how much *the godly* cry out; thinking themselves undone[q]. In addition to all those intrigues, which pointed to civil war, in Scotland, Bedford, the English lieutenant, on the borders, added the basest practices, which breach of trust can perpetrate[r].

The queen, however, steadily pursued her purpose, in the face of avowed opposition, and secret management. On the first of May 1565, Murray, and Argyle, came to Edinburgh with five, or six thousand men; "to keep the law day against the Earl of Bothwell," though they knew, that he had retired from Britain, a month before. But, the true object of such an appearance, "in favour of Lord Murray," was, plainly, intended, to overawe the queen, and terrify Darnley. The preachers, also, who acted under the same influences, by their slanderous tongues, attempted to propagate popular discontent[s].

---

[q] Randolph's letter to Cecil, 18th April 1565, in the Paper Office: He deceived Elizabeth, and her Secretary, by talking so often of *the godly*, and the *godly party*. The fact is, that *the godly* saw nothing improper in Darnley's marriage with the queen; till they were incited, by Murray's artifices, which gave out how much *the Religion was in danger*. It is remarkable, that Knox himself, in stating that Maitland had been sent to Elizabeth, to intimate Mary's intention to marry Darnley, speaks of this marriage as a politic one; Darnley being so near of blood to both the queens, and the next heir to the English crown, after queen Mary; and he desires the reader to mark *God's providence in bringing about this marriage;* and thereby fulfilling the wishes of James V., to keep the crown, in the family, and name, of Stewart. *Hist. Ref.* 369.

[r] Bedford being entrusted with Mary's letters to her envoy, Maitland, at Elizabeth's court, on the 26th of April 1565, sent them to Secretary Cecil, with an intimation, *that he might deliver them, or not, as he thought good.* The Earl of Lennox, also, intrusted to Bedford letters to be forwarded by him to his wife; and these, on the 28th of the same month, he sent to Cecil, and hinted, "it cannot be, but that there is some news therein; you may use your wisdom, in retaining, or delivering them." Bedford's letters to Cecil, in the Paper Office.

[s] On the 3d of May 1565, Murray, and his associates, convened at Edinburgh, an assembly of ministers, and zealots; and urged them to press upon the queen

But, though the queen showed her dislike, at seeing such a body of undisciplined men brought into her presence, she was not terrified: Having resolved, to take the advice of her Estates, concerning her marriage, on the 15th of May, then next, at Stirling. Murray carried those requisitions of his convention to the queen, at Stirling, three days after; his coadjutor Randolph remaining, at Edinburgh, by his advice, to carry on their concerted designs[t]. Murray was well received, by the queen, who easily pushed aside such absurd demands; and in her turn, requested him to agree to her marriage with Darnley; and to sign a writing to that purpose[u]: But, he refused both those requests. The queen sent the Justice Clerk to *the Duke* [of Chattelherauld] to persuade him to consent, who could not refuse, as he was promised assurance of his whole Estate[x]. In this manner, the queen gained thirteen of her nobles, before the meeting of the convention, though Lennox, and Darnley, did not play their parts with equal address[y]. In the meantime, Elizabeth acted, with some circumspection, as she wished not to plunge into open hostilities, or even to be seen, by the ambassadors of France, and Spain, to incite rebellion, in Scotland: she, indeed, sent Throckmorton to Mary's court, to obstruct her marriage with Darnley, and to urge the choice of Leicester, her own favourite: So absurd was Elizabeth, in pursuit of her present object.

The convention met at Stirling, on the 15th of May 1565. On the same day arrived Throckmorton, who was admitted, in the

---

some unreasonable requests; to remove idolatry, as well from her own chapel, as others; and to forgive the ministers' *free speech* and *liberty of reproof*: These resolutions were agreed to; and delivered to Murray, for presentation to the queen. Randolph's letter to Cecil, 3d May 1565, in the Paper Office; Knox, 372.

[t] Randolph's *Letters* to Cecil, 8th May, in the Paper Office.

[u] *Ib.* Knox, 372. [x] Keith, *App.* 60.

[y] If we may believe Randolph, Lennox borrowed 500 crowns of Maitland, who had been gained, by Lady Lennox: And Darnley, while lying sick in his bed, had already boasted, "*to knock the Duke's pate*, when he is well:" So heedless was he of consequences!

afternoon, to his audience: He now made his objections to the queen's marriage; threw out his menaces against Lennox, and Darnley; and not meeting with much success, he commenced his intrigues among the nobles, with whom, however, he seems to have made as little impression; as he had no gratuities to offer[z]. The convention, which was numerous, unanimously, approved of Mary's marriage with Darnley[a]: Nor, could any reasonable objection be made, either to the measure, or to the man, under the existing circumstances. The duke, who was by law, the second person, in the kingdom; Murray, who wished to be the first; Argyle, who was ready to accept of Elizabeth's money; and Glencairn, who, perhaps, acted from enthusiasm; all approved of the marriage, in the convention; as they durst not avow their real motives, which were interested, if not treasonous. On the same day, Darnley was created Knight, Baron, and Earl, with the reservation of the title of Duke of Albany; on the remonstrances of Throckmorton[b]. This delay of so great an honour, Darnley is said to have borne, with great impatience: If we might credit the calumnious Randolph, Darnley "would have struck the Justice Clerk, who brought him word, that the creation of the highest title, was deferred for a time." From this epoch, the letters of

---

[z] See Throckmorton's *Letters* in Keith, 276-81. [a] *Ib.* 277.

[b] Keith, 281. Those creations took place, after the audience of Throckmorton. From the *Privy Seal Record* we know that, on the 15th of May 1565, there was a grant to Lord Darnley of the Earldom of Ross, and Lordship of Ardmanach, comprehending a great many lands.

On the 21st of May, was granted him *the Bishoprick of Ross.*

On the 25th he had a grant of the Earldom of Lennox, with the lands to it belonging.

On the 18th of June, he had a grant of the Barony of Far, with many lands, fishings, &c. in Strathnaver, and Sutherland; which were in the queen's hands, by escheat; as the late Donald Macky was born a *bastard.*

On the 20th July, Darnley had a grant of the Dukedom of Albany. The foregoing grants were not small boons to Darnley, without taking into consideration the matrimonial crown.

Randolph, which were always, sufficiently, sarcastic, became completely calumnious.

Throckmorton, on the 19th of May, took leave of the queen, at Stirling, and joined Randolph, the associate of his artifices, at Edinburgh. He thence, gave an account of his conduct to Elizabeth, to Cecil, and to Leicester: He informed them, that the queen's marriage with Darnley could not now be prevented, but by *violence:* He recommended every preparation for war, without any great consideration, whether cause had been given for hostilities, or even for interposition [c]. He recommended, in the true spirit of his mistress, further restraint on the mother of Darnley. He suggested, that more gracious entertainment should be given to Lady Somerset [d]: and above all, Throckmorton advised to keep well with France, and Spain; to the end, *they might bring their matters better to pass, in Scotland.* In the midst of all those artifices, and intrigues, Mary tried to conciliate Elizabeth; while Elizabeth endeavoured to frighten Mary [e]. Randolph, the corrupt agent of Elizabeth, advised Secretary Cecil to pension the Scots nobility, in order to make them act against their sovereign; and he recommended the Earl of Argyle, as well worthy any purchase-money, on such an emergency [f]. The irresolution of Elizabeth, strength-

[c] The queen had agreed, to delay her marriage three months, and to solicit Elizabeth's assent, in the meantime. Keith, 278. She applied, however, for the Pope's Dispensation. Murray wrote to Cecil on the same subject, 20th May 1565, a letter which remains in the Paper Office.

[d] In the same depository of papers, there are many flattering letters, from that lady to Secretary Cecil, about that intriguing period.

[e] Keith, 283-5: Cecil followed up Throckmorton's arguments with a representation, from himself, concerning the perils, and troubles, that may ensue to the queen, and the nation, upon the marriage of the Scots queen to Lord Darnley. *Ib. App.* 97. The result of Cecil's paper, to stimulate the jealousy of Elizabeth, consisted, in showing, that such a marriage, by uniting the rights of Mary and Darnley, to the English crown, strengthened their pretensions, by augmenting their partisans.

[f] Randolph's insidious dispatch, 24th May 1565, from Berwick, is in the Paper Office.

ened, as it was, by all those representations, and motions, again sent letters of recal to Lennox, and to Darnley: But, such a summons, objectionable as it was, they were not very ready to obey[g]. The Scotish queen, in the midst of her vexations, sent her Master of Requests, John Hay, to mollify Elizabeth's rigours, and to gain time, by negotiation, till the dispensation, for marrying Darnley, should arrive[h].

Meantime, Murray, and his associates, incited by Elizabeth, and her agents, continued their preparations for rebellion[i]. The first object of their treasonous machinations was to seize Lennox, and Darnley, with design to send them prisoners to Berwick[k]. Their traitorous designs are more fully disclosed, in a conversation, between Murray, and Randolph: "I have lately spoken," said Randolph, to Cecil, "with my Lord of Murray: He is grieved, *to see these extreme follies in his sovereign;* he lamenteth the

---

[g] Cecil's *Diary*, of the 18th June, and the 5th July 1565.

[h] *Id.* Keith, 283-5. Hay was a creature of Murray, from whom nothing but treachery could be expected; and therefore, Randolph recommended, that he should be well used. On the day of his arrival at the English capital, the unhappy Lady Lennox was sent, from court, to the Tower. On the 30th of June, the French king wrote to Elizabeth, in favour of Darnley, and for the release of his imprisoned mother. Keith's *App.* 161.

[i] In June 1565, Randolph received letters, from his mistress, promising to support Murray and his associates; and he, immediately, communicated those incitements to the rebellious party. Of Elizabeth's letter, dated the 8th of June, there is an abstract, in the Paper Office; and Randolph mentions, that he had communicated to them, her letter of the 13th of June. Keith, 289. But, she afterwards, boldly, denied her letters, and incitements.

[k] Randolph, on the 2d of July 1565, wrote to Cecil: "Some that have already heard of the imprisonment of Lady Lennox, like very well thereof; and wish both her husband, and son, [Lennox, and Darnley] to keep her company. The question hath been asked me, [by Murray, and his associates,] whether these, if they were delivered us into Berwick, we would receive them? I answered, that we could, nor would not, refuse our own, in what sort soever, they came unto us. It is no small comfort to all those, that favour *God's word*, to hear, that the queen's majesty, [Elizabeth] is determined to advance the true religion, and to abase the contrary." Keith, 285.

state of this country, that tendeth to utter ruin; he feareth, that the nobility shall be forced to assemble themselves together to do her honour, and reverence, as they are in duty bound; but, to provide for the state, that it do not perish; the whole country being now broken, and every man lying in such discontentment, as they do: The Duke, Argyle, and Murray, concur in this device; many other are like to join with them, in the same device: what will ensue let wise men judge. Such, then, was the apologetical proclamation of Murray, and Randolph, for the unnatural rebellion, which they then raised against the Scotish queen! Here is the outline of the plot, which was designed to end, by the imprisonment of the queen, in Lochleven-castle, and the consignment of Lennox, and Darnley, to the gaol of Berwick. The queen, with Darnley, and her attendants, male, and female, had gone on a visit to the Earl of Athol, at Dunkeld, in the last week of June; with an intention to return, in a few days, to Perth; and thence to repair to Calender, along the highroad, by Kinross, and the Queen's-ferry; in order to witness the baptism of Lord Livingston's child. The conspirators, who were aware of her purpose, laid a plan, for intercepting her, and Darnley, at the Kirk of Beith: For this end, Murray placed himself, in his mother's house of Lochleven, near Kinross; Argyle remained at Castle Campbel, ten miles off; Lord Rothes, with his followers, took post, at the Parrot-well; and the Duke lay, at his house of Kinneil, on the Forth, at no great distance from the Queen's-ferry. This plan was so well laid, that it could not fail, according to the opinion of the acutest statesmen[1]. But, what are the hopes of men! On the queen's return, from Dunkeld, to Perth, she received some intimation of Murray's purpose: She felt, that Perth was not now a place of safety, for her: And she directed the Earl of Athol,

[1] Secretary Cecil was so impressed with that opinion, that he entered in his *Diary* of the 7th of July 1565, "a rumour spread, that the queen of Scots should have been taken, by the Lords, Argyle, and Murray." Murdin, 759.

and Lord Ruthven, with their friends, to convoy her, on the morrow, to Calender. She mounted her horse, at 5 o'clock, in the morning, and rode, with great speed, towards the Queen's-ferry, accompanied by three women, and three hundred horsemen; passing through Kinross, before Murray had any suspicion of her advance. The queen, and Darnley, thus eluded, by address, and activity, every ambuscade, which artifice had laid, for their interception. In cooperation with this conspiracy against the queen, and Darnley, there was an ecclesiastical meeting at Edinburgh, under the influence of Murray, to embarrass the queen, with unreasonable demands; and the Earl of Glencairn came to Edinburgh, to concert an insurrection of enthusiasts, in the queen's park, at St. Leonard's Craig, where they proceeded the length of choosing their officers. But, the queen hastening to her metropolis, those religious insurgents were easily dissipated, by her own presence[m].

The escape of the queen, from the various snares, that had been laid for her, equally, disappointed Elizabeth, and Cecil, the Duke and Murray, Knox and his disciples, who, however, were too strenuous, to be easily pushed aside, from their treasonous designs, on Mary's sceptre, and Darnley's life.

The conspirators persevered, in their criminal pursuits; relying on Elizabeth's promises, and Cecil's protection: And, feeling their disappointment, in so well laid a plot, Murray, Argyle, and Boyd, retired, on the 1st of July 1565, into Lochleven-castle, to deliberate on their ultimate measures. They resolved to take arms; and to solicit the aid of Elizabeth, at least to the amount of 3000*l*., as she had engaged. For the communication of those purposes, they sent a trusty person to Randolph, at Edinburgh; inviting him, at the same time, to meet them. Randolph communicated their designs, and those measures, to Leicester, and Cecil. He suggested to Cecil, that Elizabeth's Lieutenant on the Borders, Bedford,

[m] Keith, 293; Spotiswoode, 190.

might be sent to Berwick, "to support *the lords of religion;*" and he intimated the desires of those *religious lords*, that some of the border banditti might be let loose on Lord Home's lands; to prevent him from assisting the queen. Most of those suggestions to Leicester, and Cecil, were adopted, by Elizabeth, though she could not be prevailed on, to make open war. While Elizabeth was thus inciting a rebellion, in Scotland, she wrote, with her usual duplicity, on the 10th of July, to Mary; advising her to regard her subjects, with more favour; and her lords would behave, as lovers of *the religion*, and as *good subjects* to her. At the eve of civil war, in Scotland, there were several questions bandied among the religious men, and women, of that country, as we learn from Camden; "Whether a Papist might be lawfully made their king? Whether the queen was at liberty to make choice of a husband, for herself? Whether the States ought not to appoint a husband for her? Those questions, which, probably, were asked, by the artifice of Cecil, would have all been answered against the queen, and Darnley, if the power of the noble conspirators had been equal to their ambitious purposes. The Scotish queen was not, at that treasonous moment, inattentive to the interests of her people, or to the suggestions of her own feelings: She prorogued the Parliament, which was to have met, at Edinburgh, on the 20th of July, to the 1st of September[n]: She issued assurances under her own hand, that as she had never disturbed any of her protestant subjects, in the exercise of their religion, so would she be careful to protect them, in the complete enjoyment of their worship, according to their own forms[o]. And she not only, by proclamation, warned all her people to attend her, in warlike manner, as their duty required, but she wrote, specially, to particular persons, urging them to come to her aid[p]. The rebellious nobles, thus foiled, by Mary, and encouraged, by Elizabeth, met at Stirling,

[n] Keith, 297. [o] *Ib.* 298.

[p] See the Acts of Privy Council, in Keith's *App.* 109-11.

on the 17th of July. They here entered into a traitorous engagement, which was founded on the analogous demands of the assembly, of the 27th of June; and those faithless men bound themselves, first, *to the Lord their God*, secondly, to each other, for the faithful performance of their engagement: And with the most genuine hypocrisy, they declared to the whole world, that they meant nothing, in all their proceedings, but humble reverence, and faithful obedience to their sovereign lady. Such hypocrisy, and impudence, the world never saw before; except, in the proceedings of the same miscreants, in 1559, and 1560, who called a Parliament, under a treaty, which had been, by themselves, for the occasion, forged. On the subsequent day, the Duke, Murray, and Argyle, wrote to Elizabeth, by Elphinston, a special messenger; begging her support, for enabling them to *establish the Evangel*, in Scotland. Randolph wrote, at the same time, to Cecil; requesting his assistance, for "*the lords of the congregation*," to redress religious grievances, if the queen of Scots should occasion any, by her future conduct: And he added, what he supposed would have great influence, that this queen, [Mary] had very little money, no credit, and few friends [q].

The congregational rebels had, promptly, assembled their followers; and even had cut off the communication, between the capital, and the western districts[r]. But, their pretences were not felt, by their countrymen: The queen's marriage, with Darnley, as it was in itself fit, and beneficial to the nation, was popular; and the queen's conduct, since her arrival, like her predecessor, Duncan's, had been *so gracious*, that she enjoyed the public confidence[s]: And when she summoned her barons, and people, to assemble around her, they obeyed her summons, with alacrity: So many of the nobles, and the gentry, and their followers, arrived

---

[q] Keith, 301. [r] *Ib.* 303.

[s] Robertson was so idle, as to attribute that confidence to Murray's conduct, as her minister.

at Edinburgh on the 19th, 20th, and 21st of July, that she found herself at the head of a force, which the rebels could not resist[t].

But, the queen had now other objects, than the opening of a campaign against nobles, who acted on pretences, that were not popularly felt upon religious principles. On the 20th of July, she created Lord Darnley, who was already Earl of Ross, Duke of Albany, and conferred on him all the property, and privileges, to the dukedom belonging[u]. On the 22d of July, the banns of marriage, between the queen, and the duke of Albany, were proclaimed. On the 28th of July, the queen issued a proclamation, directing that he should be styled King, and treated, as such. On Sunday, the 29th of July, at 6 o'clock, in the morning, the queen, and Albany, were married, in the Chapel of Holyrood, by Henry Sinclair, the dean of Rastelrig, and president of the Court of Session, the queen having received the approbation of the Cardinal of Loraine, her uncle, as well as the dispensation of the Pope. After the ceremony, Mary went to mass, and Albany to *his pastime:* During several days, there was nothing heard, at Edinburgh, but rejoicing, nothing seen but sports, and nothing enjoyed but banquets. On the 30th of July, another proclamation was issued, that the queen's husband should be styled King, and that all public proceedings should now run, in his name, and hers, as king, and queen of Scotland[x]. In this manner, then, was the *crown matrimonial* placed upon the head of Albany, though he was not aware, that any thing more was meant, than what he now enjoyed: more he might have enjoyed, in the government of the kingdom, if he had been a person of any talents[y].

---

[t] Keith, 298-9; *App.* 106-7. The queen, on that emergency, pardoned Huntley, and recalled Sutherland, and Bothwell, who were in banishment.

[u] *Privy Seal Reg.* xxxiii. [x] Keith, 306-7.

[y] On the 20th of July, Randolph put Lennox and Darnley, in remembrance of the letters of recal, which he had delivered to them from his mistress. Lennox complained of the imprisonment of his wife, and feared a similar fate, if he were to return into England, but, he was ready to serve the English queen: Lennox had a

Randolph now wrote to Leicester, and Cecil, in the true spirit of official calumniation: To the first, he maligned the king, as below contempt, and as despised by the people: To the second, he stated, in a prophetic style of menace, which, considering the disastrous conclusion of the king's career, is very remarkable: The people, said Randolph, have small joy, in this new master: and find nothing, but *that God must either send him a short end*, or them a miserable life; the dangers to these he now hateth are great; and either *he must be taken away*, or they find some support, *that what he intendeth to others may light upon himself*. With England this queen meaneth to make a divorce, though she will make fair weather; but, with France she will join: she doateth so much on her husband, that, some report she is bewitched[z]. Such was the insidious tone of disappointed intrigues!

The rebellious nobles, being on that occasion, unable to meet the queen in the field, retired for a while to their several castles; whence they propagated their clamours against the queen's measure of declaring her husband *matrimonial king*, as an oppression, which could not be borne, by an oppressed people, whom the rebels invited to resist, as the beginnings of tyranny[a]. But, such

---

better answer, if he had been a noble of any stoutness: He might have said, that when he resided in England, he owed the queen local allegiance; but, being a natural born subject of Scotland, he was in his proper country, where he chose to remain. Albany answered something like a king: I acknowledge no other obedience, than what I owe to the queen here; and seeing your mistress is so envious of my good fortune, I doubt not but she may have need of me, in a few days: I feel myself very well, where I am, and have no purpose to return. Randolph, in reply said, *that he hoped to see the wreck of all, that were of the same mind with him*; and so turning his back upon the king, he retired, without any reverence. [Randolph's own account of this conference to Cecil, dated the 21st of July, in Keith, 303-4.] It was but a pitiful shift of policy in Elizabeth, to imprison her poor cousin, Lady Lennox, when she thus acted the farce of disingenuousness towards the rebels.

[z] Goodall, i. 222. Keith, 287-303-4. All these malignant representations were made to the English ministers, on the 21st July 1565; and the king was assassinated, on the 10th February 1566-7.

[a] Keith, 308.

outcries of ambitious treason produced little effect, even among the vulgar, as the real motives of both parties, in the state, were apparent[b]. The return of Elphinston, the messenger, from Elizabeth, to Scotland, early, in August, bringing with him a propitious answer, from her, and what was of more importance a large supply, revived their hopes[c]. The rebels were now enabled to assemble, but, not in great numbers: Yet, being unable to meet the queen's forces, they retired, about the middle of August, into the fastnesses of Argyle[d].

Meantime, Elizabeth sent Tamworth to Edinburgh; to concert with Randolph the best mode of embarrassing the queen; bringing with him a captious statement of Elizabeth's objections to Mary's marriage, with other complaints of little moment. But, as Tamworth was instructed not to acknowledge Darnley, as king, he was not admitted into the queen's presence[e]. Elizabeth gained nothing, by this conduct of Tamworth, who was not in himself the fittest person, to deliver a message, which was in itself indelicate[f]. It only provoked Mary to repel, with unusual spirit, the assumption of several articles of it; and to desire, that Elizabeth would not meddle with the domestic concerns of Scotland, as she had never meddled with the internal affairs of England. Yet, Mary professed a desire to live in amity with Elizabeth, and to act towards her cousin, as one princess ought to treat another. When Tamworth departed, from Edinburgh, on his return to England, he refused a passport, as

---

[b] Knox, 380.

[c] Keith's *App.* 162; Knox, 380, says Elphinston brought 10,000*l.* sterling. On the 13th of August Nichol Elphinston was charged to appear before the king, and queen, in Council, to answer for his conduct. [*Privy Council Reg.* of that date.] In fact, Nichol Elphinston was a retainer, and confidential agent of Murray, and was afterwards employed, by him, when regent, in similar practices. [Haynes, 462.]

[d] Keith, 309-13. The rebels retired into Argyle, even before the 14th of August, as the Act of Privy Council implies.

[e] Keith's *App.* 99-105.

[f] Camden, 63, says that Tamworth, "being a man of a busy tongue, blotted the queen of Scots' reputation with I know not what obloquy."

it was signed by Darnley, either from instruction, or from petulance: And he was of course detained a few days by Lord Home, the Scotish Warden of the East Marches[g]. While Tamworth was occupied, at Edinburgh; and it was supposed, by Cecil, that the rebels would sufficiently occupy Mary, Elizabeth sent orders to Bedford, her Lieutenant, at Berwick, to commit open hostility, by taking Aymouth, and securing it[h]. These measures of hostility were only prevented, by the difficulty of them. And before she could reinforce Bedford, she learned, that the rebels were unable to face their sovereign: Thus was Elizabeth obliged to retrace her steps; to recal her orders for war; and to hear the just recriminations of the Scotish queen.

In the meantime, the rebellious nobles, with Murray at their head, held a meeting, at Air, on the 15th of August, when they resolved to be prepared with their forces, on the 24th[i]: meanwhile they were openly joined, by the Earl of Glencairn, and by Wishart of Pitarrow, *the comptroller of the queen's house.* Sir John Maxwell, the queen's Warden of the West Marches, a member of her Council, also secretly favoured the rebels, and openly conducted them into Dumfrieshire, where he had the chief command. There still remained, in the queen's council, other persons, of still greater importance, who favoured Murray, and betrayed their sovereign; such as Morton, the Chancellor, Maitland, the Secretary, John, Lord Erskine, Murray's uncle, who had recently obtained, from the queen's bounty, the Earldom of Mar.

The queen, and Darnley, who were thus surrounded, by so many traitors, resolved, however, to follow the rebels into the west; and on the 22d of August, required, by proclamation, all their subjects to attend them in arms; they commanded, on the same day, her people not to join the rebels, and to leave their bands, if they had joined them[k]. And the queen, and king, wrote

[g] Keith, 311. [h] *Ib.* 164. [i] Knox, 380.

[k] Keith, 312-13: By another proclamation, full assurance was given, as to religious concernments. *Id.*

specially to particular barons; desiring them, to join the royal army, with their warlike followers[l]. At the same time, they removed Douglas, the Provost of Edinburgh, and appointed a more sufficient person, to govern the metropolis, in their absence. After all those measures of warlike preparation, the king, and queen departed, from Edinburgh, on the 26th of August, for Linlithgow; whence they advanced, on the morrow, to Stirling: And their force accumulating, in their progress, they marched, on the 29th of August, to Glasgow[m]. On the same day, that the queen arrived, at Glasgow, the rebels entered Paisley, with a thousand horsemen: But, finding themselves too weak, to oppose the loyalists, they went to Hamilton, on the 30th, and to Edinburgh, on the 31st of August. The rebels were disconcerted, by the rapidity of the king, and queen's movements, as much as they were weakened, by the proclamations, which warned the disaffected of their duty, and required them to return to their quiet homes[n]. From Edinburgh, the rebels sent messages everywhere; imploring aid, in so godly a cause; in the capital, they invited, by the beat of drum, all men to join them, who should receive wages, "for the defence of God's glory;" but, their efforts were unavailing, though they were aided, by Knox's sermons[o].

---

[l] Keith, 313.

[m] The movements of the king, and queen, during this campaign, are given, from their *household books*, which are the last of the series, which remain in the Register House, at Edinburgh.

[n] Keith, 315; *App.* 164: The leaders of the rebels, who came to Edinburgh, were the Duke, Murray, Glencairn, Rothes, Boyd, Ochiltree, and other smaller barons, who had more zeal, than faithfulness to their legitimate sovereign: many of the Hamiltons left their chief, before he marched to Edinburgh.

[o] At Edinburgh, they could not get any comfort, or support, and none, or few resorted to them, says Knox, 381. On Sunday, the 19th of August, the king went to the High Church of Edinburgh, wherein John Knox preached, and took occasion, "to speak *of the government of wicked princes*, who, for the sins of the people, are sent, as tyrants, and scourges, to plague them:" And, among other matters, the preacher said, that God sets, in that room, (for the offences and ingratitude of the

Finding the people of Edinburgh unmoved, either by Knox's speaking, or by Murray's writing, the rebels departed from the capital, before daybreak, on the 2d of September, 1200 strong; and marching to Lanark, they proceeded thence to Hamilton, where they were joined, by Sir John Maxwell, and his uncle, Douglas of Drumlanrig: They were now induced to proceed into Dumfrieshire [p]. The king, and queen, in the meantime, set out from Glasgow, with their forces, on the 1st of September, for Edinburgh, in pursuit of the rebels. The van was led by Lennox, the centre by Morton, and the rear, by the king [q]. They marched under a tempest of wind, and rain, to Callender, where the king and queen lodged, for the night. On the 2d they received intelligence, that the rebels had departed, early that morning, from Edinburgh: But, instead of following them, southward, into Clydesdale, the queen was deluded to move, with her retinue, northward to Stirling; having issued orders to her forces, to proceed westward, and meet her, on the morrow, at Kilsyth [r]. On the 3d of September, she, accordingly, joined her army; and marched, from Kilsyth to Glasgow. Here, she loitered till the 6th of September; evincing by her misconduct, that she was deluded, by

people) *boys* and *women*, and added some other words, which appeared bitter, in the king's ears; such as, that God justly punished Ahab, and his posterity; because he would not take order with that harlot, Jezabell. *Ib.* 380-1. How unscriptural all this enthusiastic rant was, need not be mentioned. The Saviour of the world, modest, and unassuming, as he always was, never spoke evil of dignities, and never preached the doctrines of sedition!

[p] Goodall, i. 206; Keith's *App.* 163-4; Randolph's *Dispatches to Cecil*, of the 3d and 4th of September 1565: Randolph intimated, that they expected more support from England: "If queen Elizabeth, he added, will now help them, with men, and money, the insurgents doubt not, but one country will receive *both the queens*."

[q] Randolph wrote to Cecil, on the 3d and 4th of September, that *the queen's husband* was the only one, who wore gilt armour; and that divers of the insurgents were appointed, to set upon him; and either kill him, or die themselves. The queen beareth a pistol charged, when in the field.

[r] Keith's *App.* 111.

treacherous counsels[s], As it was now certain that the rebels had retired into Dumfrieshire, the king and queen appointed Lennox their Lieutenant in the south-western shires, with proper forces; while they themselves marched northward, with the great body of the royal army[t].

The king and queen now remained, at Stirling, till the 8th of September; when they marched into Fife, with a view to overpower those friends of Murray, who could not resist them. On the same day, Lord Sanquhar, with a detachment of the royal army, took Castle-Campbel, the guilty fortlet of the Earl of Argyle[u]. On the 9th, the king and queen marched, from Dumfermlin, to Falkland; and on the 10th, to St. Andrews, where she obliged many of the gentlemen of Fife to enter into a bond, on the 12th, to support the king and queen against the re-

---

[s] The *Household Books and Privy Council Register.* Several of her Privy Counsellors, who were with the king and queen, were unfaithful to them, and friendly to the rebels: Of these, the most able, and dangerous, was Morton, who conducted one of the divisions of the royal army. On the 3d of September, Randolph wrote to Cecil, that the queen suspected Morton, yet hath he not wit to leave her. Goodall, i. 206. It was not want of wit, or will, which prevented Morton, from leaving the queen, but the same cause, that had detained him so long, with the queen's mother, the dread of losing his own Earldom, with that of Angus, his nephew, which he held in ward. On the 9th of September, Randolph wrote to Cecil, "that Morton has now left the queen." [Keith's *App.* 164:] But, he did not leave her, to join the rebels, as Randolph wished, and expected. Morton does not appear to have accompanied the king, and queen, into Fife; as he was not present, in any of the Privy Councils, which met, at St. Andrews, on the 12th, and at Dundee on the 14th and 15th of September; though he was present in the Privy Council, which was held, at Glasgow, on the 5th and 6th of September, when the absurd measure, of *marching northward,* while the rebels *retired southward,* was resolved on, as well as, in the previous Councils: As Morton now saw, that his friends, the rebels, were out of danger, he retired to his own Castle of Dalkeith.

[t] At Glasgow, on the 6th of September, the king and queen made an Act of Council, in favour of the heirs of those, who should die, under their command.

[u] In the beginning of September, Argyle laid waste the countries of Lennox, and of Athole. Keith's *App.* 165.

bels[x]. At St. Andrews, she issued, on the 12th of September, a proclamation, exposing the artifices of the rebels, particularly, of Murray, their chief, whose ingratitude, and ambition, were forcibly pointed to vulgar eyes[y]. The king, and queen, now passed the Tay to Dundee, a guilty town, which had been misled, by Halyburton, the Provost, who was then at Dumfries, with the rebels. A fine of 2000 marks was imposed upon it. The king, and queen, here issued a proclamation, in favour of the reformed religion: In this publication were exposed the misrepresentations, which had induced many to join the rebellious standard of Murray; they promised to call a Parliament, which had, only, been prevented, by the machinations of the discontented, when they would confirm all that she had ever promised to her Protestant subjects[z]. The king, and queen, went to Perth, on the 15th; and on the morrow, to Ruthven, where they remained till the 18th, when they departed, for Dumfermlin; and thence proceeded, on the 19th, by the Queensferry, to Edinburgh[a]. It is apparent, that such a tour might have been better performed, and such proceedings done, after the expulsion of Murray, and his partisans; when the faithful might have been rewarded, and the guilty punished: But, by giving the rebels a month's respite, Murray was enabled, to comfort his colleagues, by delusive hopes, and Elizabeth had leisure to deceive both Mary, and the rebels, by her dissimulation.

No sooner had the king, and queen, returned to Edinburgh, than they found, that the rebels had gathered strength, in Dumfrieshire. They issued proclamations, for collecting the royal

---

[x] Keith's *App.* 112. Other suspected persons were obliged to give security, for their quiet conduct; a few were imprisoned; and the city of St. Andrews was fined. *Privy Council Reg.*

[y] Keith's *App.* 114. [z] *Privy Council Reg.*

[a] The Houshold books ascertain the dates of the several movements of the Court; Keith 316, was misled, by Knox, to state, that the king, and queen, returned, from Dundee to St. Andrews, and thence to Edinburgh.

forces, at Biggar, on the 9th of October. The court departed, on the 8th, for that convenient rendezvous, where they found an army of 18,000 men assembled. They now pushed, through the mountain pass, into Nithsdale, and arrived on the 10th of October, at Castlehill, near Dufrisdeer, where a Privy Council was held, for regulating the command of the army. The van was placed under the orders of the feeble Lennox; the king was to conduct the centre, accompanied by the faithless Morton, Bothwell, Ruthven, and other nobles; and the rear was to be led by Huntley, Athole, and other Lords[b]. But, an army thus composed of such discordant troops, and thus led, by treachery, was incapable of any effort. With it, however, the king, and queen, marched forward to Dumfries, on the 11th of October: and Murray, and other leaders of his treacherous cause, finding that, with their inferior force, they could not withstand so great an army, fled into England, where they had been assured of safety; and where, they were, kindly, received by Bedford, Elizabeth's lieutenant, who had come, with some force, from Berwick to Carlisle. Thus ended Murray's rebellion, the duke's imprudence, Cecil's artifices, and Elizabeth's perfidy, without the loss of a single life; the leaders of the queen's army having taken especial care, that the two armies should never meet.

While the king, and queen, remained, at Dumfries, Sir John Maxwell, the Warden of the west borders, seeing the cause of the rebels hopeless, made his submission, and was pardoned, and continued, in his office, by the queen's clemency. After remaining a few days here, and visiting Lochmaban Castle, the queen, and court, returned to Edinburgh, on the 18th of October. The Earl of Bothwell, the Lieutenant of the borders, was left, with a force, on the western march, to observe the rebels, and to overawe the clan of the Elliots of Lidisdale, which had been corrupted by

[b] Keith's *App.* 115.

the English government[c]. And, the Earl of Lennox, the Lieutenant of the south-western shires, resumed his station, at Glasgow, to watch the movements of Argyle, and Boyd, as well as, to preserve the peace within his lieutenancy.

Meantime, Randolph remained, at Edinburgh, meditating mischief, and writing calumnious letters to his court, in hopes of inciting Elizabeth, and Cecil, to support Murray, and to oppose the king, and queen[d]. The artifices of Elizabeth, and the coldness of Cecil, after all the efforts of the rebels, in pursuance of their wishes, threw the expatriated lords into despair: Yet, while the English queen, publicly, disavowed the traitors, before the ambassadors of France, and Spain, she allowed them, to reside on the Scotish borders, and supplied them with money, by the friendly hands of Bedford, her lieutenant, at Berwick[e]. The Duke of Chatelherault perceiving, that they could not, soon, return to their country, and that the estates of the rebels were in danger, made his peace, and obtained his pardon, on the easy condition, of living abroad, where he could no more be led astray, by Murray's machinations: Yet, the expatriation of the heir presumptive of the crown, removed a great stumbling block, from Murray's way, who aimed to be the first person. Such was the end of the disgraceful revolt against Darnley's marriage with the queen, which portended nothing less, than the imprisonment of Lennox, and his son, in the Tower of Elizabeth, and the imprisonment of Mary, in the Castle of Lochleven.

After such a termination of such a rebellion, the king, and queen, enjoyed the festivities of Christmass, at Edinburgh. In the beginning of January 1565-6, the king, who delighted more in the sports of the field, than the business of the cabinet, went

[c] Keith's *App.* 164, 165: Bedford's letters to Cecil of the 24th and 26th of October, 1565, in the Paper Office.

[d] Keith's *App.* 165.

[e] Strype's *Annals*, i. 475; Bedford's accounts in the Paper Office.

into Peebleshire to enjoy, for a few days, the diversions of the chase[f]. The king soon returned to Edinburgh, where he indulged, as usual, his sensual passions; and continued to harass the queen, by his frequent importunities, for *the crown matrimonial*.

About the same time, the king, and queen, resolved to cause Murray, and his guilty associates, to be, condignly, punished, as traitors: For this exemplary end, the expatriated nobles were summoned to appear in Parliament, on the 4th of February 1565-6, to hear themselves adjudged guilty of treason[h]. Other measures were taken, to strengthen the ruling powers, and to weaken their opponents. Meanwhile, Mons. Ramboulet arrived from France, as the bearer of the order of St. Michael, from Charles IX., to Darnley, who was far too weak, to support, with any sufficiency, such accumulated honours[i].

We are, indeed, assured, by the contemporary Melvill[k], that after the marriage of Darnley to the queen, which had thus been accomplished, by so many hazards, Mary did great honour to Darnley herself, and desired every one, who expected her favour, to pay him similar attention[l]. She requested Melvill to wait upon the king, who was but young, and give him his best counsel, as Melvill had formerly counselled her, which might enable his inexperience to shun many inconveniences. Melvill, who was an old adherent of Murray, and did not deviate, from his ancient principles, took the liberty of advising the queen, to pardon Mur-

[f] See Lennox's letter of the 26th of December 1565, not 1566, in Keith's *Pref.* vii.

[g] Randolph's letters to Cecil of the 16th, and 24th of January 1565-6; Keith's *App.* 166.

[h] Keith, 370. The nobles, who were thus summoned, were the Earls of Argyle, Murray, Glencairne, and Rothes, and the Lords Uchelire, Boyd, and others.

[i] *Ib.* 325. [k] *Mem.* 58.

[l] There did not exist, at that time, in Scotland, any establishment, like the Lords of the Bedchamber, and other similar officers, who form the king's court.

ray, and his associates: But, to this she answered, as he informs us, when they can do no better, they sought her; but, when she sought their concurrence, they would not listen to her requests; no more would she now notice their suits[m]. Sir Nicholas Throckmorton was, also, induced, by him, to write a persuasive letter to the Scotish queen, in favour of the guilty lords[n]; and she is said, to have been softened, by the motives, which Throckmorton laid before her, with his wonted talents. Murray even courted Rizzio, her French Secretary, by promises, and gifts, to favour his solicited return: Rizzio is said to have engaged to give his assistance, the rather, "that he perceived the king to bear him little good will, and to frown upon him[o]." The fact is, that Rizzio had been the faithful counsellor of Darnley, from his arrival till his marriage, though he was now recompensed by frowns: Darnley seems to have known nothing of that maxim of Charles II., which taught him, "to quarrel with no one, as he might soon be obliged to act with him."

Of Rizzio, whose fate has attracted the notice of history, it may be of use, to give some additional particulars, to the scanty memoirs, which have been supplied by the Scotish annalists: David Rizzio was a Savoyard, born, at Turin, of poor parents, and came to Edinburgh, with the Duke of Savoy's Ambassador, at the end of 1561: He was soon appointed a valet of the queen's chamber. We may see, in the Treasurer's books, several payments to him, which show his several stations[p]. He became French Secretary, in December 1564, as we learn, from Randolph, who informed Cecil, that Raulet, the queen's secretary, for the French, being removed, for improper conduct, Rizzio, an Italian, supplied his

---

[m] *Mem.* 59. [n] See it, in Mel. *Mem.* 60-3. [o] *Ib.* 63.

[p] On the 8th of January 1561-2 was paid to Rizzio 50*l.* as *virlet* in the queen's chalmer: On the 15th of April 1562, he was paid 15*l.* as *chalmer cheild*, [usher, or page.] There were four quarters payments made him, in 1564, at the rate of 80*l.* a year, as virlet of the queen's chalmer. [*Treasurer's Accounts.*]

place [q]. We are told, by Melvill [r], that her majesty had three valets of her chamber, who sung three parts, and wanting a *basse*, they told the queen of this man, as one fit, to make the fourth, in a concert. But, we know, from the Treasurer's books, that the queen had an establishment of five *sangsters*; of five violaris [violins;] three lute players, and trumpeters, and *hewbois*: Yet, the same record does not notice Rizzio, as a musician of any kind; though he may have joined, in the queen's concert. Melvill goes on to tell an improbable story of Rizzio's meddling, and of the public envy, and concludes, by assuring us, *that Rizzio was a known minion of the Pope* [s]. Of the tales, which were told, at the eve of a conspiracy, to inflame popular indignation against that stranger, who appears to have been an honest man, and an useful servant to the queen, there is no end: Had the queen's other secretary, Maitland, been as honest, and as faithful to his mistress, many crimes, and much misery had been prevented. Joseph, the brother of David Rizzio, is said to have succeeded him as Secretary [t].

Darnley, who had little genius, from nature, had hitherto been taught nothing, in the school of adversity, the great instructor of mankind. He had early offended Murray, the most powerful noble of Scotland, by free speaking; he disregarded the experience of

---

[q] Keith, 268. On the 1st of August 1565, there were furnished David Rizzio, by the king, and queen's precept, black taffete, worth 5*l.* 4, and black satin worth 6*l.* On the 24th, Rizzio was supplied with money, for a bed, and furniture: And he seems to have now acted, as privy purse to the king, and queen; as money was imprested to him, for the king, and pages: And on the 28th of February 1565-6, he was paid, by the queen's precept, 2000*l.* in part of 10,000 marks, owing to the queen, from the *comptoir* of the coinage, for the space of two years.

[r] *Mem.* 54.

[s] *Mem.* 55. The Earl of Bedford, indeed, in his letter to Cecil, calls Rizzio that great *enemy of religion*.

[t] Whatever there may be in that intimation, there is certainly a letter remaining, from the queen to Drury, of the 17th of January 1566-7; desiring him to detain Joseph Riccio, an Italian, *our domestic*, who had left Scotland with his friend's money.

Melvill; and he frowned on Rizzio: He was, constantly, attended, in his boyish career, by George Douglas, a bastard son of the late Earl of Angus, and a brother of Lady Lennox, a man of utter profligacy, and a proper instrument in the hands of the Earl of Morton, the Chancellor, who was the most profound, and perfidious miscreant of a villainous age. This guilty lord, we may remember, was one of those nobles, who remained, during the late rebellion of Murray, in the queen's court, and councils, for the very purpose of betraying her, and befriending Murray. With him remained, in the same treacherous predicament, Secretary Maitland, the ablest, and artfullest statesman of his country. The Lords Ruthven, and Lindsay, as well as others, had, also, remained with the queen, with the odious design of deluding their sovereign to her ruin [u].

In the meantime, came from France Mons. Villemonte, with instructions, from the French king, and the Cardinal of Lorraine, the queen's uncle, to advise the queen, not to pardon the expatriated nobles, who lurked about Newcastle. The queen was thus confirmed, in her private opinion, that the banished traitors ought to be attainted, at the ensuing Parliament.

Amidst all those intrigues, the deluded Darnley was induced to believe, that he had not obtained *the crown matrimonial*, which consisted in nothing more, than a participation, in the government, while his wife, the real sovereign, held the sceptre [x]. Whispers

[u] With Randolph's beforementioned information to Cecil, from his own knowledge, concurred the intelligent Melvill. *Mem.* 64.

[x] The old law, and history, of Scotland knew nothing of *a crown matrimonial*. Celtic Scotland knew nothing of *female heirs*: But, *Saxon* Scotland was very favourable to such heirs: And, it was, in that period, the established practice, when a countess married a gentleman, the husband became a *matrimonial Earl*, and during the life of his spouse, acted as an Earl. Even at the accession to the crown of Alexander III., his grand-daughter, *the maiden of Norway*, who was courted, by the many arts of Edward I. for his son, we hear nothing of *a crown matrimonial*; his aim being to acquire the direct sovereignty of a distracted kingdom. But, when Mary Steuart was to marry the Dauphin of France, then did the French statesmen claim the

were now constantly made, in the inexperienced ears of the youthful king, that he did not enjoy the *matrimonial* crown, the fashion of which he knew not, and his childish ambition was prompted, to grasp at the real crown, which was worn by his wife, with the assistance of Murray, who had his heart, and hand, upon the same gaudy object. Lennox, who was not much wiser, than his son, was so imprudent, as to concur with those, who were deluding Darnley to his destruction[y]. Need we, then, to be surprised, that Darnley, thus inexperienced, and thus tutored, should have entered into formal contracts with Murray, who hated him, and who courted the same royal mistress, to commit crimes of the most atrocious nature, which might end, in the death of his wife, and child, for obtaining the remission of Murray's treason, that he had committed, in opposing Darnley's marriage, upon so visionary a return, as Murray's aid? The fact is, that he did enter into such contracts, which were very common, and very necessary, in that religious, but immoral age[z]. Those contracts were, sufficient

crown matrimonial, which the Scotish Parliament granted. Upon this concession, and analogy, Mary caused Darnley to be proclaimed king; and he was admitted into the government, with her, as much as his capacity enabled him to act.

[y] Mel. *Mem.* 64. It is indeed quite certain, that Lennox was completely engaged with his son, and Morton, in the conspiracy against the queen, his benefactress. Knox, 393, says the king, and *his father, subscribed the bond to the conspirators.* Morton is said, to have met Lennox, and Darnley, in Lennox's chamber, to conclude, formally, upon the terms of the conspiracy, which had the relief of Murray, for its end, though by the wickedest of means: Here, they came to an agreement; and Lennox, and Darnley, engaged, for themselves, as well as, for the Countess of Lennox, to renounce all claims on the Earldom of Angus, in favour of Morton's nephew: Morton, on his part, having obtained thus much, agreed to assist the king, in obtaining the crown matrimonial, for life. Goodscroft, 289. In consequence of that agreement, Lennox went into England, to acquaint the expatriated nobles, with the terms of it, and to bring them nearer the borders, for their more effectual concurrence. *Ib.* 289.

[z] See copies of those formal contracts, in Goodall, i. 227-33. There remains also a bond, of Darnley, calling *himself king of Scotland*, and *husband of the queen's majesty*, dated the 1st of March 1565-6; whereby he engages to save harmless all those

ently, traitorous; but, the bond of the 1st of March, only eight days before the assassination of Rizzio, is still more wicked. The assembly of the kirk, which was, no doubt, solicitous for *the religion*, which was supposed to be in danger, from *the minion of the Pope*, concurred, zealously, in that odious plot, by directing appropriate prayers, and appointing significant fasts, for the faithful; in order to inflame the populace against their queen [a]. Elizabeth, and Cecil, were also informed of this conspiracy, its means, and its end, by Bedford, and Randolph, from Berwick [b].

After all these intrigues, and contracts, recommendations of the assembly, and fasting of the zealots, the unfortunate Rizzio, who had acted faithfully, to his trust, was assassinated, on the 9th of March 1565-6, in the queen's closet, within the Palace of Holyrood; the pregnant queen sitting therein, at supper, with the Countess of Argyle, her sister [c]. Her husband, Darnley, led the assassins into the queen's closet. Lennox's servants were present, as active agents. Morton, her Chancellor; and Maitland, her Secretary; the Lord Register, and Lord Justice Clerk, were all active assassins: Lord Ruthven, and Lord Lindsay, were two of the principal conspirators. George Douglas, the king's relation, struck the unhappy victim, with the king's dagger, over the queen's shoulder [d]: Andrew Ker of Fawdonside presented a pistol to her

lords, and others, who might assist him, in removing Rizzio, and other persons, from the queen's presence: this detestable document remains in the *Cot. Lib.* Col. B. x. fol. 212.

[a] Knox, 389-90-92: It was the assembly which met, at Edinburgh, on the 25th of December 1565, which was attended by the principal conspirators; and which pursued, under their influence, those unchristian, as well as treasonous measures.

[b] By their letters, in the Paper Office, of the 6th and 8th of March 1565-6.

[c] It is very horrid to observe how coldly Secretary Cecil recorded that horrible murder, in his *Diary:* "9th March, M. David the Scots queen's secretary slain, in Scotland." Murdin, 761. Elizabeth, and Cecil, were accessaries to that assassination! Keith, 282, and the above MS. letters.

[d] George Douglas, the queen refused to pardon, when she forgave Morton, as she recollected his brutality: But, Morton, who was a Protestant, without morals, and religion, made the assassin bishop of Murray, in 1573. Keith's *Bishops*, 89.

bosom: So tragick, and so terrible, a scene was never acted in any other country, or age. It was remarked, by Tytler, the vindicator of Mary, that there were a thousand dark passages, in Edinburgh, wherein Rizzio might have been dispatched: But, the queen's closet was plainly chosen, with the apparent hope, that Mary, and her unborn infant, could not outlive such a tragedy. The actors, including Darnley, were all guilty of treason, and forfeited their lives, and fortunes, to the offended laws of God, and man [e].

On the morrow, while the queen was a prisoner, in her palace, Darnley prorogued the Parliament, which had met, on the 7th of the same month; as he had stipulated, with the conspirators. Murray, and his guilty associates, arrived, at Edinburgh, the same day; having been conducted in safety, by Lord Home, the Warden of the East-march, under the king's orders. During the momentous intrigues, which followed the murder of Rizzio, while the traitorous nobles were concerting ulterior measures against the queen, Mary, by great efforts of address, and fortitude, induced Darnley to quit the associates of his guilt, and flee with her to Dunbar Castle, in the night of the 11th of March. Here, the well-affected lords, with their followers, soon assembled around her. And on the 19th of March, the queen, and Darnley, entered Edinburgh, with an overpowering force. Vigorous steps

[e] Godscroft, 393: The great convention of nobles, and prelates, at Dumbarton, in September 1568, observe, indeed, that it had been the intention of the guilty men, who proposed the divorce of Darnley, from the queen, "to get him convicted of treason, because he consented to the queen's retention in ward." [Goodall, ii. 359.] There is a list of the guilty traitors, in an Act of Privy Council, dated the 19th of March 1565-6, in Keith's *App.* 130, which evinces how widely spread that conspiracy had been: But, the Chancellor, Earl of Morton, was the soul of the conspiracy, and had the greatest following; as he was the most profligate, and daring. Yet, were there only two inconsiderable persons condemned, and executed, for that atrocious treason. Darnley, and his father, who were two of the principal conspirators, the queen, virtually, forgave, and even did not reproach either of them, for their crimes, for their ingratitude.

were now taken against the odious conspirators[f]. Murray, and Argyle, by the queen's command, departed from Edinburgh, to Argyleshire; but, were after a while pardoned, recalled to court, and taken into favour. The chiefs of the conspiracy fled various ways. Morton, Ruthven, and others, sought shelter, at Berwick, the usual refuge of Scotish criminals. It is one of the singular revolutions of that busy moment, that Morton, and his associates in murder, took the same places, in England, which Murray, and his colleagues, in rebellion, had just left: And Elizabeth, and Cecil, protected all offenders, against the Scotish queen, of whatever rank, and for whatever cause, though contrary to treaty. On the 20th of March, Darnley, finding himself neglected by the great, reviled by the many; and feeling some of the compunctions of nature, issued a proclamation; for silencing rumours, and whispers among the people, on this unhappy subject, the cruel murder, which had been committed, in the queen's presence, and of the treasonable detention of her royal person[g]. Nothing more was wanting to the degradation of Darnley, than to deny, thus, his activity, in this aggravated murder, and his committing so many treasons, whereof, every one, in Edinburgh, knew him to be guilty[h]: His proclamation was heard, by some, with derision, by

[f] A little before the queen's entrance into the town, all that knew of her *cruel pretence*, says Knox, fled; Mr. James MacGill, the Clerk Register, the Justice Clerk, the town Clerk of Edinburgh; the Chief Secretary Maitland had gone before. John Knox passed into Kyle. *Hist.* 1732, p. 395. This representation is confirmed, by documents in the Paper Office.

[g] That proclamation, which sealed the disgrace of the conspirators, and Darnley, was transcribed, from the Cotton Library, Calig. B. ix. fol. 213; and published, in Goodall, i. 280.

[h] It must be remembered, however, that the narrative of that murder, which was soon after published, in Lord Ruthven's name, who was then dead, but which was, in fact, one of Cecil's pamphlets, declared *the king*, falsely, *to be the author of the whole conspiracy*. Darnley was unable to form so comprehensive a conspiracy. The genius of Maitland, probably, conceived it; the daring of Morton executed it; and Darnley was, only, duped into such crimes, by conspirators, who were much more

others, with disdain: But, what was of more fatal consequence to the unhappy king, by his misconduct, he incurred the hatred of Murray, and Morton, and other powerful, and unscrupulous men, whose instrument he had merely been [i]: It did not enter into his comprehension, that if his wife, and child, had perished, on the 9th of March, with Rizzio, the king could not have been king, a week [k].

However the queen may have mollified the conduct of Darnley, confidentially, to the Archbishop of Glasgow, her Ambassador: Yet, in private she lamented the king's folly, ingratitude, and misbehaviour [l]: By the queen, however, he was easily pardoned: But, by Murray, and his faction, Darnley was never forgiven. To this distinction, historians are not sufficiently attentive: The quarrels of husband, and wife, are easily made up: but the resentments of party-men, during such an age, were implacable. In order to calumniate the queen, it was given out, that the murdered Rizzio was buried, in the royal vault of the Scotish kings. But, besides the improbability of this, we know from contemporary annals, that he was buried, in the church-yard of Holyrood-house [m].

When the queen returned to Edinburgh, she took up her residence, in the Castle; wishing to avoid the recollection of such a

---

able, and artful, than so weak a prince: He ere long fell a sacrifice himself to such a conspiracy, which was contrived, and executed, by the same persons, who only used a different dupe.

[i] Keith, 236. He denied to the queen, and her Privy Council, his concern in this conspiracy, any further than wishing the restoration of Murray, and his friends.

[k] When the king, and queen, were safe in the Castle of Dunbar, Murray sent a confidential person to *the queen*, but not to the king, to ask forgiveness, and pardon. Feeling this contempt, Darnley asked the messenger, if Murray had not written to him; but, the messenger answered No, only to the queen. In this specimen of neglect, Darnley saw what was to be expected, if by any accident to the queen, he had remained *king matrimonial*, for life.

[l] Mel. *Mem.* 66.

[m] See *Annals of Scotland*, by Marjorybanks, 18; with the editor's note.

bloody scene, in Holyrood-house. She was soon after advised, by her Privy Council, under the suggestion of Murray, to remain, in the Castle, till the period of her delivery had passed. The queen now employed herself in the laudable endeavours of reconciling the discordant nobles to each other, who amid such distractions, had so many causes of variance. She also became reconciled herself to Darnley, as we know from Randolph's letter to Cecil[n]. She recalled to her councils, and favour, the Earls of Murray, Argyle, and Glencairn[o]; Murray having thus obtained his place, at court, naturally took the lead in her councils. Argyle, and Murray, the queen's two brothers, lodged within the Castle, a favour, which was denied to Bothwell, and to the other nobles. The day of the queen's delivery was looked forward to, by the statesmen of England, as well as of Scotland, with great anxiety, on account of the accidents, which might happen, and the revolution, that those accidents might produce. In the absence of the legal heir-presumptive to the crown, it is apparent, that Murray having possession of the Castle, and the support of so great a faction, would have seized the government, with the sceptre. She made her last will, in several copies; she wrote on the 18th of June a letter to the Warden of Berwick to supply post horses to the honourable envoy, who was to bear the tidings of her fate to her good sister of England. On the morrow, before ten o'clock in the morning was the queen delivered, happily, of her son, James; to the great joy of the citizens of Edinburgh, to the disappointment of Murray, and Morton, Randolph and Cecil, and the mortification of her good friend, queen Elizabeth[p], who had been induced to expect a dead, rather than, a living son.

The queen, soon after, in quest of air, and amusement, passed along the Forth to Alloa-house, the seat of the Earl of Mar; accompanied by the Earls of Murray, Bothwell, the High Admiral,

---

[n] In the Paper Office. [o] Keith, 336.

[p] Keith, 338; Birrel's *Diary*, 5; Holinshed, i. 383.

and Mar, the hospitable lord of the mansion, with other courtiers; Darnley followed her, by land, as it was not to him agreeable to be shut up in a ship, with those, who hated him, and whom he hated; and, at Alloa-house joined her, the French Ambassador, who endeavoured to reconcile the nobles to Darnley, and what was of more importance, to reconcile Darnley to himself. The queen only remained, on that occasion, a day, or two, at Alloa[q]; having returned to Edinburgh: But, she went back to Alloa, a few days after, where she received her criminal secretary, Maitland; and where, with her Privy Council, she determined to hold a Justice-air, at Jedburgh, which, by singular artifice, has become famous, in the loose annals of Buchanan's scandal. The court again returned, from Alloa, in a few days, to Edinburgh.

At the end of ten days, the king, and queen, with their court, went into the forests of Peebles, for the recreation of hunting[r]. But, they had not much entertainment, owing to the scarcity of game. They now returned to Edinburgh, about the 21st of August. After remaining here awhile, the king, and queen, with their court, went, at the beginning of September, to Stirling; in

---

[q] On the 29th of July 1566, there is a charge in the Treasurer's books of 10*s.* paid a boy, passing, from Edinburgh, with close [sealed] writings to the queen, at Alloa. She returned to Holyrood-house, on the 31st of July; she went back to Alloa, on the 3d of August; and in a few days returned to Edinburgh. *Privy Seal Register.* Dates are of great importance, when so many writers disregard facts, in their endeavours to calumniate the queen: It was reserved, for Buchanan's falsehood to say, that she went to Alloa, with pirates.

[r] Keith, 345; Holinshed, 384: On the 12th of August, 1566, there is a charge in the Treasurer's books of 12*s.* which were paid a boy, passing with close writings, from the king, and queen, to the Earl of Bothwell, to the Sheriff of Selkirk, and to the gude man of Torsance. These secret writings were, no doubt, commands, from the king and queen, to make preparations for their sport. They were at Traquair on the 19th of August. *Privy Seal Reg.* On the 28th of August, there is a charge, in the Treasurer's books, of 40*s.* paid the Marchmont herald, for attending upon the king, and queen, during the hunting.

quest of amusement[s]. As Scotland was governed, chiefly, by Murray's faction; as he himself continued to be the chief favourite of the queen, whatever ill-informed history may say to the contrary; the court of Mary consisted almost altogether of Murray's friends: All those courtiers hated Darnley; and he hated them. When the king accompanied his wife, his disdainful eyes of course, constantly, beheld the objects of his hatred: And they, in their turn, looked on him, with indifferent regard[t]. While the court was thus composed, and thus affected, it was in vain, for the queen, to endeavour to reconcile Darnley to himself, far less to the nobles: His natural temper, his guilty conscience, his vicious habits, followed him wheresoever he went, and concurred with the world's disdain, to induce him to think of emigration, from a country, whose laws he had defied, and whose morals he had corrupted: But, he tried, without success, to flee, from his own feelings. While Darnley was thus agitated, the queen, with her court, returned to Edinburgh on the 25th of September, in consequence of the calls of public business; leaving the king, at Stirling, who chose, to brood over his own fancies, and to follow his own amusements: He communicated to the French Ambassador, Le Croc, at that gloomy moment, the secret of his meditations, "that he had a mind to go beyond sea." The aged Le Croc said every thing, that he could properly urge, to persuade him, from such an act of desperation. His father came to visit the king,

---

[s] Keith, 345: The fact of the king, and queen, thus associating together, on various excursions, is minutely stated, in order to confute the gross misrepresentations of the Scotish historians, from that age, to the present, who inculcate, contrary to the fact, that Darnley followed the queen, whilst she constantly repulsed the object of her hatred. Bedford wrote to Cecil, on the 9th of August, from Berwick, "that the queen and her husband, according to reports, had been together, these two nights, at Alloa." Keith's *App.* 169.

[t] The State papers concur, with history, in giving that representation of the king, of the queen, and of the nobles, and men of business.

while he meditated projects, which could only end in his own ruin: But, as he had flattered his son into folly, he could not, now, restrain him, within the limits of reason [u]. At this moment, of his discontent, there was no one, in this kingdom, who regarded him, any further than he was agreeable to the queen, who was now beloved, esteemed, and honoured.

At length, on the 29th of September 1566, the queen received a letter, from Lennox; signifying the king's purpose, to leave Scotland, and his inability, to prevent him, from executing his desperate resolution. On the same day, Darnley came, from Stirling, in a moody humour, to Holyrood-house, wherein were assembled the queen, and her court. But, he would not enter the palace, till the queen went out to receive him, and to conduct him to her private apartments. And during the night, she tried every art, in vain, to induce him to mention the cause of his offence, and to disclose the object of his voyage. On the morrow, she assembled the Privy Council, and caused the Bishop of Ross to lay Lennox's letter, before the counsellors, in the king's presence: But, he would not open himself before those lords, whom he hated, and feared. The queen took him, by the hand, and besought him, for God's sake, to declare, if she had ever given him any occasion, for this resolution; and entreated him, to deal plainly, and not to spare her. The Privy Counsellors, also, besought him, to reveal the cause of his conduct; in order, that they might endeavour to remove the motive of his grief. He was at length induced, by such entreaties, to declare, that he had no ground, at

[u] Secretary Cecil, who allowed nothing to pass unheeded by him, hearing of a person, that had been in Scotland, and had conversed with Darnley, about his future projects; caused this person to be examined, who said, that Lord Darnley sometimes talked of taking possession of Scarborough-castle, in Yorkshire, and at other whiles, of seizing one of the Scilley Islands. But, poor Darnley did not foresee the fate, that would have attended such an attack on Elizabeth's sovereignty: She would have had him in prison, within a week, and on the block, within a fortnight. [A document in the Paper Office.]

all, given him, for such a resolution; and thereupon went out of the Chamber of Presence, saying to the queen, *Adieu, madam, you shall not see my face, for a long time:* He bade the French Ambassador, *adieu;* and turning himself to the lords, he said, Gentlemen, adieu [x].

Darnley repaired to Glasgow, on a visit to his father. The queen, and the Privy Counsellors, prepared, for the intended justice court, at Jedburgh. A few days after, the king sent to Le Croc, desiring to meet him, half-way between Glasgow and Edinburgh. Le Croc complied with his wishes: and found his father with him. The Ambassador now said every thing to him, that he thought, could in any manner move the king, to alter his preposterous project: And he left the king, in such a temper, as to induce him to remain in the kingdom, though Darnley could not conceal, that he had still some displeasure, as well as discontent [y]. The Ambassador followed the queen to Jedburgh, by appointment, to give her an account of the king's purpose.

All circumstances considered, the fate of Darnley appears to

---

[x] These curious particulars of Darnley's behaviour are, chiefly, taken, from the French Ambassador's letter of the 15th of October, 1566. [Keith, 345-7.] And see the instructive letter of the Lords of the Council to the queen-mother of France, dated the 8th of October, 1566; giving their account of the same transactions. [*Ib.* 347-50.]

[y] There is a letter from Robert Melville, the queen's agent, at London, and Murray's instrument, to the Archbishop of Glasgow, the Scots Ambassador, at Paris, dated, at London, the 22d of October 1566, that throws some light on this obscure subject: "The king, without opening himself, complained, that he is not regarded, by the nobility, as he should; neither can he obtain such things, as he seeks, to wit, such persons, as the Secretary [Maitland], the Justice Clerk, the Clerk Register, to be put out of their offices; alleging that, they were guilty of the last odious fact, [the murder of Rizzio] whereof the queen had taken trial, and found them meriting pardon." Keith, 350-1. The queen knew how to act, according to the circumstances, in which she found her affairs; but, Darnley did not: She knew the guilt of Maitland, her Secretary, and the two law-officers; but, she was obliged to act with them. It ill became poor Darnley, to object such a fact to such men; considering that he had been himself one of the chief conspirators.

have been now decided, by the Scotish statesmen, who could no longer bear his follies. The letter of the Privy Counsellors to the queen-mother of France, before mentioned, is a proof of this: They show Darnley, to be without an excuse, for his gross misconduct: And, they represent the queen to have said to him, before the Privy Council: She had a clear conscience; that in all her life, she had done no action, which could any way prejudge either his, or her own honour; but, that nevertheless, she might perhaps have given him offence, without design, she was willing to make such amends, as far as he should require: But, he declared, freely, *that the queen had given him no occasion for any complaint*[z]. We must also recollect, what Secretary Cecil said, in 1560, of Secretary Maitland, that he was the only person, whom he had seen, in Scotland, *who could sustain the whole burden of foresight:* Yet, it was against such a man, that Darnley now pointed his resentment. Murray, and Maitland, the two leading men of Scotland, at that portentous moment, wrote their complimentary letters to Secretary Cecil, according to their wonted custom, when they looked forward for protection, before they set out for Jedburgh.

Darnley, in the meantime, remained with his father, at Glasgow. Murray, and Bothwell, and other nobles continued, at Edinburgh, on the 6th of October 1566: As the queen's Lieutenant of the Borders, Bothwell was now sent forward, to make preparations, for the Justice courts; but, meeting with resistance, was in the hand severely wounded, on the 8th of October, by Elliot, of Park, whose head was sent to Edinburgh[a]. On the same day, before such an event could be learned at Edinburgh,

[z] See Keith, 349. This letter of the Privy Council, which was, do doubt, written by Maitland, who was not only Secretary, but Chief Clerk of the Privy Council, is the best defence of the queen's innocence, that can be conceived, against the calumnies of Buchanan, and Knox, as well as of Robertson, and Laing.

[a] See Birrel, 5; Keith, 351; Robertson places that event on the 16th of October, instead of the 8th.

the queen, and nobles, and lawyers, set out from Edinburgh, to hold the long expected Justice courts, at Jedburgh [b]. It appears, from the Treasurer's accounts, that those courts were held at Jedburgh, from the 9th of October to the 8th of November, inclusive. On the 28th of October, Darnley came to visit the queen, after her recovery, from her dangerous illness; but, he remained, only, one night, and conversed chiefly with the French Ambassador. Darnley thus showed his contempt, for the nobles; and the nobles, equally, showed their indifference, for him. Little did he know what had happened, during the extremity of the queen's disorder, when she was expected every moment to expire. The nobles, then present, at Jedburgh, with Murray at their head, came to a resolution, in case of the queen's demise, to pass in a body to Edinburgh, and there to settle the government [c]: It may easily be conceived, which of them would have been appointed regent, during the infancy of the prince; considering that Murray's faction was all-powerful; that the Duke of Chatelherault, the presumptive heir of the crown, resided, as a banished man, in France; and that Darnley had not one noble, to support him. The unanimity, which existed among the Privy Counsellors, during the month, which they remained at Jedburgh [from the 9th October to 8th of November] may be regarded, as the calm, that usually precedes a storm. On the 9th the queen, and her whole court, passed from Jedburgh to Kelso; and on the morrow, as we know from the Privy Council Register, the *lords compositors* held a court, for composing some unsettled disputes. Here, the convalescent queen, by the advice of her physician, no doubt, resolved to make a progress, throughout the fine country, called the Merse, attended by the Earl of Bothwell, the High Sheriff, by the neighbouring gentry, and eight

[b] The Privy Council Register evinces, that a Council was held, at Jedburgh, on the 10th of October, at which were present the Earls of Murray, Rothes, and other members. The Privy Seal Register shows, that the queen went, from Jedburgh, to Hermitage-castle, in Lidisdale, on the 16th of October.

[c] See Bishop Lesley's letter, 27th October 1566, in Keith's *App.* 135.

hundred horsemen. Darnley was meantime, at Glasgow. During the four days, which the queen and her court, remained, in her Castle of Dunbar, the same calm of unanimity prevailed; denoting some concert among the chiefs. The queen wrote to her good sister of England: The Privy Counsellors, Huntley, the Chancellor, Murray, the queen's chief adviser, and Bothwell, the Lieutenant of the Borders, wrote to Cecil, with regard to the Admiralty judisdiction. When the queen, and her court, departed, on the 19th, Secretary Maitland went to Whittingham, a place ominous of some design; whence, he wrote to Cecil, and, also, to Morton, who lurked about Alnwick. All this while, Darnley remained with his father, at Glasgow; brooding over his discontent, like the boy, who passed his night, on the bridge, to vex his mother: He did not perceive the importance of being constantly with the queen; and concealing his discontent with her ministers, under smiles, and good humour.

The queen now remained at Craigmillar-castle, within a few miles of Edinburgh, from the 20th of November 1566 to the 5th of December, when she removed to her metropolis. She was still, as Le Croc assures us, in the hands of the physicians, not at all well, the principal part of her disease, consisting, according to his belief, in deep grief, and sorrow: and still repeating these words, *I could wish to be dead*[d]. The king, her husband, returned to see her, on the 26th of November, when he remained a week with her. But, as Le Croc assures us, Darnley sent to desire the Ambassador to speak with him near Edinburgh; when Le Croc, found, from Darnley's conversation, that things went still worse and worse: Le Croc gave it as his ingenuous opinion, that he did not expect any good understanding, between them, unless God effectually put to his hand: The king will never humble himself, as he ought; the queen cannot perceive any nobleman speaking with him, but she supposes some contrivance among them: Such, then, are the representations of that experienced courtier, from what he heard,

[d] Le Croc's, the Ambassador, letter, 2d of December 1566, in Keith's *Pref.* vii.

and saw. The king, he added, intends to go away, on the 3d of December; but, Le Croc foretold, very truly, that the king would not be present, at the baptism of his son[e].

Meantime, Murray, and Maitland, had not allowed occurrences to glide, unheeded, before their artful eyes, from Michaelmas 1566, the epoch of Darnley's examination, before the Privy Council, till the queen and king's return to Craigmillar-castle: They had seen more nearly than Le Croc, that things went worse and worse; that the queen's health, and spirits, were wasted, by sorrow; that the king, notwithstanding the sage remonstrances of Le Croc, could not be cured of his absurdities, which were equally dangerous to himself, and distressful to his wife. The two statesmen had early determined to rid themselves of a prince, whom no one cared for, while he cared little for any one: accordingly, at Craigmillar, they matured their plot into shape: They had already communicated their purpose to Morton; they had easily induced Bothwell to join them: And, their first object consisted, in obtaining the queen's consent to a divorce, from Darnley; reserving, as a secret, their second object, if they should obtain the first, to impeach, in Parliament that hated prince, of treason, and put him to a formal death, as a traitor. In concurrence with Bothwell, and Murray, Maitland, made the proposal to the queen, for a divorce, from her unworthy husband, while she remained, in Craigmillar-castle: But, the queen resisted the proposal so firmly, and she desired so solemnly, that nothing should be done, which would spot her honour, or affect her conscience, wishing rather to let the matter rest till God, of his goodness, put remeed thereto, they clearly saw, that she would not be prevailed on, to give her assent to a divorce: So that, they were thus induced to change their avowed purpose, to a direct attack upon Darnley's life; to make Bothwell, whom they hated, their instrument, by offering to his ambition the subsequent marriage of the widowed queen, with in-

[e] Le Croc's, the Ambassador, letter, 2d of December 1566, in Keith's *Pref.* vii.

demnity, for his safety; the conspirators knowing, at the same time, that they could easily upon the death of Darnley, and the marriage of the queen to the king's murderer, push aside Bothwell, and dethrone the queen; so as to let in Murray to the vice-regal chair; being sure of the approbation of Elizabeth, and the concurrence of Cecil[f].

The queen, after all those events, in the midst of bad health, and worse spirits, removed from Craigmillar to Edinburgh, on the 5th of December 1566, as we know from the Privy Seal record; Darnley having set out, for Stirling, two days before, after remaining a week with the queen, and opening his guilty mind to Le Croc. The queen, as we learn, from the same record, remained at Edinburgh, doing the public business, till the 10th of December, when she set out, for Stirling, to the approaching baptism of her son. When Darnley departed from Craigmillar on the 3d of December,

[f] For the proofs of those projects, and that conspiracy, which could only have been executed, in such a country, among such a people, see the Protestation of Huntley, the Chancellor, and Argyle, the Justice General, who relate what they saw, and understood, of that well-concerted plot. Goodall, ii. 316-21; see Murray's feeble answer. *Ib.* 321-22. And see the instructions of the great convention of nobles, and prelates, at Dumbarton, 12th September 1568. *Ib.* 354-66, which is a strong confirmation, of Huntley and Argyle's narrative: But, the strongest proof of all is the conspiracy of Morton, Bothwell, and Maitland, at Whittingham, and their ultimate conviction, for the murder, and punishment of Maitland, and Morton, and Bothwell, for their guilt. Moreover, the terrible events, which happened, by a systematic sequence, are so many facts, that are proofs, the most positive, of a deep laid conspiracy: The murder of Darnley, by Bothwell, and his coadjutors, in crime; his subsequent acquittal, by the management of Maitland, and Morton; the marriage of Bothwell to the queen, by the most singular combination of artifice, violence, and circumvention, under the same management of Morton, and Maitland; the immediate desertion of Bothwell, by the conspirators, after they had accomplished their promised marriage; the dethronement of the queen, without any cause, except as the necessary sequence of the conspiracy; and the elevation of Murray, as regent, by the appointment of the legitimate sovereign, who was dethroned, and imprisoned, are all decisive proofs, as holy writ, of those same events having happened, in pursuance of conspiracy, and design.

his undecided mind had not determined, whether to be present, at the baptism of his child, or to remove to Glasgow, where he might enjoy the feeble communication of his father: Like other irresolute characters, he did not adopt either plan; but, remained, in Stirling-castle, without being present at the baptism; yet, showing to the ambassadors of the several princes, who had come, from afar, to witness this splendid ceremony, that the king was playing the fool, while the queen acted like herself; like a woman, highly accomplished; like a princess of great knowledge of what was due to every one. On Tuesday, the 17th of December, the baptism of King James, in the Chapel of Stirling-castle, at four o'clock in the afternoon, was solemnized by John, Archbishop of St. Andrews[g]. Darnley, also, had his mortifications to sustain, at that splendid ceremony; the several ambassadors knew how he had conducted himself, since his marriage; and Bedford, Elizabeth's representative, on that occasion, declined to give him the title of king. Yet,

[g] Goodall, i. 320, from a record of Newton, the Archdeacon of Dumblain, who states the princes, and peers, who were present. And see Le Croc's intelligent letter of the 22d of December, from Stirling, for his account of this ceremony. "The king," he adds, "had still given out, that he would depart, two days before the baptism; but, when the time came on, he made no sign of removing, at all; still keeping close to his apartment: The very day of the baptism, he sent three several times, desiring me either to come, and see him, or to appoint him an hour, that he could come to me, in my lodgings: so that I found myself obliged, at last, to signify to him, that seeing he was in no good correspondence with the queen, I had it in charge from the Most Christian king, to have no conference with him: And I caused it to be told him, likewise, that as it would not be very proper for him to come to my lodgings, because there was such a crowd of company there: So, he might know, that there were two passages to it; and if he should enter by the one, I would be constrained to go out by the other. His deportment is incurable; nor can there be ever any good expected of him, for several reasons, that I might tell you, if I were present with you. I cannot pretend to foretel how all may turn; but, I will say, that matters cannot subsist long as they are, without being accompanied with bad consequences.—The queen behaved herself, admirably well, all the time of the baptism; and showed so much earnestness to entertain all the goodly company, in the best manner, that this made her forget, in a good measure, her former ailments."

he lingered, a week longer, in Stirling-castle, before he could resolve on seeking amusement, and solace, in his father's society, at Glasgow.

During that festivity, and some days thereafter, the Earl of Bedford, acting for Elizabeth, and Cecil, solicited the pardon, and recall of Morton, with his guilty colleagues, in Rizzio's murder. He was seconded, by Murray, who had derived his own pardon, from the crimes of Morton, and his co-assassins: The Earl of Bothwell, who was now leagued with Murray, in a fresh conspiracy, lent his aid to their powerful solicitations. The Earl of Athol, who acted, from the influence of Maitland, concurred in the strong solicitations, for Morton's pardon. The other lords also expressed their wishes for Morton's restoration: All but Darnley seemed now to concur, in that solicitation, for the pardon of so great, and so many criminals. Influenced, by such a cooperation of powerful solicitors, the queen consented to pardon Morton, and his colleagues, including the notorious Archibald Douglas, the brother of Douglas of Whittingham, who soon acted a prominent part, as the confidential agent of Morton, in the murder of Darnley; all but George Douglas, who had led Darnley astray, and Andrew Kerr, who had, brutishly, presented a pistol to the queen's bosom[h].

The pardons thus solicited, and thus obtained, formed one of the steps, which conducted the great conspiracy towards the ultimate fate of the wretched Darnley. The queen, on the 24th of

[h] The calumniators of Mary have even said, that it was the ascendency of Bothwell over her, which procured that pardon for Morton, and his coadjutors: But, the following unpublished letter of Bedford to Cecil, on the 30th of December 1566, from Hallyards, in Fife, will ascertain the whole truth: "The queen here hath now granted to the Earl of Morton, to the Lords Ruthven, and Lindsay, their relaxation, and pardon: The Earl of Murray hath done very friendly towards the queen for them; *so have I, according to your advice:* The Earls Bothwell, and Athol, and all other lords helped therein, or else such pardons could not so soon have been gotten: George Douglas, and Andrew Kerr, are especially excepted, and can get no pardon." [The original is in the Paper Office.]

December 1566, signed Morton's pardon, with that of *seventy-six* of his associates[i]. Of such a pardon, Darnley heard with great indignation: and, on the same day, departed from Stirling towards Glasgow, without taking leave[k]. The ambassadors, soon after, left Stirling. The Earl of Bedford went with the Earl of Murray through Fife, to St. Andrews; "where," he says, "he had much honour, great cheer; and courteous entertainment." The queen now visited Lord Drummond, at Drummond-castle, to dissipate some of her sorrowful days[l]. Mary's neglect of the king,

---

[i] *Privy Seal Reg.*

[k] Robertson, mistakingly, supposes the abrupt departure of Darnley owing to the alarm given him, by the rumour of a design to seize, and imprison him; and for this rumour, he quotes Keith's *Pref.* viii.; but, he omits to state the time of Darnley's abrupt departure, from Stirling, with the time of the report, which was subsequent; and so, could not have given him any alarm.

[l] Keith, 363-4. She returned from Drummond-castle, on the 28th of December. [*Privy Seal Reg.* xxxv. p. 114.] She wrote on the same day, at least dispatched a letter, to the Earl of Murray, at St. Andrews; as we know from the Treasurer's accounts. She remained, at Stirling, to the 30th, when she went to Tullibardin, to visit her chamberlain: she returned, as we learn, from the Privy Seal Register, to Stirling, on the 1st of January 1566-7, where she was joined, by the Earl of Bedford, who returned the same day with Murray, from Fife. On the 3d of January, she prepared her answers for Bedford, and wrote to Elizabeth a letter to be carried, by him. He took leave of the queen, at Stirling, on the 5th of January, and on the 6th departed, from Edinburgh, for Berwick. Hearing, at this time, of Darnley being taken ill of the small-pox, at Glasgow, she sent her own physician to attend him; as we know from Bedford's letter to Cecil, of the 9th of January. The fictitious Journal of Buchanan, and Murray, couples Bothwell with the queen, throughout that period, as if they had been husband and wife; by stating that they returned together, on the 31st of December, to Stirling; and there remained to the 14th of January: Now; the Privy Council Register shows, that Bothwell was not among the lords, with the queen, at Stirling, on the 2d and on the 10th of January: For, in the privy councils, which she held there, on those days, there were present, the Earl of Huntley, the Chancellor, the Earls of Argyle, Murray, Caithness, and Sutherland, the Bishops of Ross, and Galloway, the Secretary Maitland, and her other officers of state; but, the Earl of Bothwell was not present; being very differently occupied. [*Privy Council Reg.* of those dates; and Keith, 570.] We know from Drury's letter to Cecil of the 23d of January, that Morton had, scarcely, returned to Whittingham,

on that occasion, was equal to that, with which he had treated her, during her illness, at Jedburgh, says Robertson, ignorantly: Notwithstanding the king's danger, continues he, she amused herself with excursions to different parts of the country, and suffered near a month to elapse, before she visited him, at Glasgow. Poor Robertson! When he declaimed thus, he did not recollect, that the queen had an infant to care for, and did not know, that she had sent her own physician, to care, for Darnley.

Meantime, the queen set out from Stirling, with her son, the prince, for Edinburgh, on the 13th of January 1566-7. She came to Callendar, on the evening of the same day; and on the morrow, the 14th, she arrived, at Edinburgh[m].

But, unluckily for Darnley, who never had had the small-pox, and was not very famous for concerting his measures, he went into Glasgow, where that infectious disease, at that time raged; and he immediately took the infection: It was, instantly, given out, by faction, that he had been poisoned, and by that greatest of liars, Buchanan, that he had been poisoned, by his own wife, the queen[n]. If you ask him for proofs of his assertion, he will be

---

after his pardon, when Bothwell, and Maitland, waited on him there: Upon what business? Only, the murder of Darnley. From the epoch of this conspiracy of Craigmillar [the last week of November] it became quite ridiculous, in Buchanan, and Murray's Journal, to place Bothwell, constantly, along side of the queen. Their object, plainly, was, to conceal Bothwell's real measures.

[m] Birrel states, that they came to Edinburgh, on the 13th of January. *Diary*, 6. But, she appears to have only reached Callendar, on the 13th: For, there is in the Privy Seal Register, a grant by her, at Callendar, on the 14th of January, and two more by her, at Edinburgh, on the same day. Accuracy of dates is always of importance; but, at this moment, of particular interest.

[n] Buchanan asserted, both in his *Detection*, and his *History*, over, and over again, that the queen being disappointed, in her object, of a divorce, resolved to destroy her husband, and caused him to be poisoned, when he was about to depart, from Stirling to Glasgow; and he adds, "that the queen would not suffer a physician to come to him." This last, assertion of falshood, evinces, that Buchanan related a falshood, though he knew the truth. This falshood is repeated in the *History of K. James*, p. 8 and 9; by Knox, 401; and by Spottiswoode, 197, who reechoes a

found to have none: He can rail, but, he can prove nothing: He was hired, by Murray, and Cecil, to calumniate, strongly, in the hope, that a credulous people would believe some of his scandal.

The moment was full of peril, both to Darnley, and the queen. It was given out, that the king, with the aid of some of the nobles, who were ready, as we have seen, for any villany, intended, to crown his infant son, and assume the government. It was reported, that the king could not bear some of the nobles, who attended the court; so that he, or they, must leave it: And what was of most importance, because it showed the true object of all those rumours, "that Darnley should be put in ward." After enquiring, in her Privy Council, into the real foundation of all those disquieting reports, the queen wrote to her Ambassador, at Paris, that his servants were the chief spreaders of those troublous rumours[o]. The Archbishop of Glasgow, in answer to the queen's

---

thousand of Buchanan's lies. Here is an authority, which shall suppress that calumny, for ever. The Earl of Bedford, who set out, from Edinburgh, for Berwick, on the 6th of January 1566-7, wrote to Cecil, on the 9th: "The king is now, at Glasgow, with his father; and there lieth full of *the small pokes; to whom the queen hath sent her physician.* [An original letter in the Paper Office.] Against such a document, as this letter, from Bedford, to Cecil, Robertson musters his Buchanans, and Knoxes, in vain. Even artless Birrel would put them down; who says, in his *Diary*, 21st January, 1566-7: "The queen, and prince, came to Edinburgh out of Stirling, at which time, King Henry was lyand sicke, in Glasgow, of *the small poks*; *but, some sayed, he had gotten poyson.*" To quash this calumny for ever, I will subjoin what Sir Wm. Drury wrote to Secretary Cecil, from Berwick, on the 23d of January 1566-7: "My lord Darnley lieth sick, at Glasgow, of the small pocks, which disease beginneth to spread thence: Unto whom, I hear, the queen intendeth to go, and bring him away, as soon as he can bear the cold air." [His letter is in the Paper Office.] We thus perceive, then, that the two contemporary writers, Cousin, and Blackwood, were well informed, when they said, that Darnley was taken with the *small pox*, at Glasgow. [Jebb, ii. 59.]

[o] The queen's letter was dated the 20th of January 1566-7: "As for the king, our husband," said she, "God knows always our part towards him; and his behaviour, and thankfulness to us, are equally well known to God, and the world." The whole letter is full of feeling, and tenderness, which may be seen, in Keith's *Pref.* viii. Robertson, by concealing the queen's motives, for writing that letter, finds in it

interesting dispatch, relinquished his garrulous servants to the correction of justice. But, that vigilant prelate, by his letter, to his mistress, of the 27th of January 1566-7, informed her, that the Spanish Ambassador had desired him, to warn the queen of some secret attempt, which was ready to be made, at Edinburgh, and conjured her, to double her guards[p].

Meantime, both the queen, and Darnley, derived considerable benefits, from the presence of her physician, with her diseased husband: She was, from time to time, informed of the state of his complaint, and the effects of it on his temper: And Darnley's spirit of haughtiness, and habit of obstinacy, being both worn down, by his infirmities; the physician took advantage of this amendment, to advise him, to make some concessions to the queen; and to desire to see his wife: All the concessions, which she could desire of him, merely, were, that he would live with her, as a husband ought to do, and partake of the government, as an equal, rather than a superior, who aimed at exclusion. Whatever, then, may be in those intimations, it is a fact, which cannot be, reasonably, doubted, that the queen, and Darnley, were reconciled to each other, before she set out, for Glasgow, to bring him to Edinburgh[q]. Robertson, relying on a lying journal, makes the queen

much bitterness of expression, and enmity of purpose, by the queen, against her husband; and gives a calumnious cast to the mere effusions of sorrow, for the ill-requited favours, which had been bestowed on unworthy objects: The queen felt, on that occasion, that sharper than the serpent's teeth are benefits forgot.

[p] See that interesting Dispatch of the Scotish Ambassador, in Keith's *Pref.* ix. which evinces, that the conspiracy, against Darnley, and the queen, had not been kept quite a secret, even on the continent, though the queen knew nothing of it, in Scotland.

[q] Bishop Lesley, who knew the queen's secrets, assures us, "that Mary hearing that her husband was repentant, and desired her presence, without delay hasted with such speed as she conveniently might, to visit him, at Glasgow." [*Defence*, 1569, p. 7.] The French Envoy, Clernault, a witness beyond exception, asserts the same fact of her reconcilement. [See the *App.* No. iii. to the *Mem. of Calumnies.*] On the other hand, Robertson quotes Mary's letter before mentioned of the 20th of January 1566-7,

set out, from Edinburgh, for Glasgow, on the 21st of January 1566-7: But, two several records; the Privy Seal Register, and the Register of Signatures, clearly, evince, that she did not set out till the 24th of January, after dinner, if then: And she would reach Glasgow sometime, on the morrow, the 25th of January. She, probably, left Glasgow, with Darnley on the 27th; so as to arrive, at Linlithgow, on the 28th of January; as we know from the Privy Seal Record: And; they reached Edinburgh, on the 31st[1]; when the king took his lodging at *the Kirk of Field*, in the house of Robert Balfour, the Provost of the Collegiate Church, which had been fitted up, for the king's reception, as an hospital, under the advice of the queen's physician. Unacquainted with the great fact, of there being a conspiracy of nobles against Darnley, and of the queen, who perpetrated the king's murder, Robertson formed a narrative of those transactions, leading to the ruin of both, which is egregiously erroneous. He inclines to believe, that Darnley was poisoned, rather than taken ill of an infectious disease, which then prevailed in Glasgow. He did not know of the letters of Bedford, and Drury, on this subject, which establish the fact; much less did he know, that the queen had sent her own physician to attend her husband: He relies too much on such writers, as Knox, and Buchanan; and he preferred the information of a fictitious journal to the certainty, which public records, always, supply: He set at nought the information of Bishop Lesley, and other documents, concerning the queen's reconcilement to her husband; because the queen gave vent to her sorrow, in her private communications with the Archbishop, her Ambassador: He even supposes, contrary to evidence, that the queen allowed herself to be directed, by the ascendency of Bothwell, when she was chiefly, influenced, by Mur-

---

as a proof of her resentment of her husband's injuries, at the same epoch. But, though a married man, he knows little of the *philosophy* of married women: He does not know how soon the quarrels of husband and wife are made up.

[1] Birrel's *Diary*, 6.

ray[s]. Yes; Bothwell appeared in ignorant eyes, to possess a great sway, when he was supported, by the strength of Murray, of Maitland, and of Morton: when they withdrew their support, Bothwell soon found, that he could not support himself, even with the queen's influence, after their enforced marriage.

Darnley, being lodged in *the Provost's house* of *Kirk-a-field*, received every attendance, from the physician, and every attention, from the queen: She often visited him, and sometimes slept in the room below the king's chamber. She even passed the Sunday evening, which preceded the morning of his murder, with her husband; entertaining him, very familiarly, till she departed to give the mask in the Abbey to Bastian, who was married the same night; and she even took a ring from her finger, which she put upon the king's, as an appropriate emblem of their renewed affections[t]. None but those wives, who stand recorded, for their barbarity and wickedness, could have given her husband such a pledge of her fidelity, and affection; knowing that he was to be put to death, soon after her departure. O! 'tis a dreadful interval of time! On the morrow, about two o'clock, the conspirators entered the house, where the king lay, with Taylor, the groom of his chamber, and strangled both, whom they carried into the adjoin-

[s] The misrepresentations of Robertson arose, from his being only a half-informed writer, who relied on bad authorities, when he might have obtained the best. Speaking of *the ascendency of Bothwell over Mary*, in the pardon of Morton, he says, "Mary, who had hitherto remained inexorable to every intreaty on their behalf, *yielded at last to the solicitations of Bothwell.*" For this misrepresentation, he quotes Paris's Confession, in Goodall, i. 140; and Melvill, 154, who says, absurdly, "that Bothwell ruled all at court, having brought home the banished lords, and packed up a quiet friendship, with the Earl of Morton:" But, Melvill himself knew, that it was the Earls of Bedford, and Murray, who were the chief agents, in soliciting the pardon of Morton, and his associates: Above all the solicitations, was Cecil, and Elizabeth's interposition. Robertson never saw the letters of Bedford to Cecil of the 30th of December, and the 9th of January, which have been already quoted, and are quite decisive, on this head.

[t] See Nelson's *Deposition*, who was present. Goodall, ii. 243-5.

ing garden, while the assassins blew up *the Provost's house wherein he lay.* This explosion, which was, no doubt, intended, by the conspirators, to cover their deed, with mystery, alarmed equally the town, and court. Thus died, saith Keith, in a barbarous, and wicked manner, lord Darnley, and King of Scots, in the 21st year of his age, and only two years, after his arrival in Scotland. But, who did that barbarous deed? The great men, who were convicted of the fact: Bothwell, Maitland, and Morton, with their agents. Why was there so much mystery, at Court? The Lord High Admiral, the Secretary of State, the minion Murray, and his adherent Morton, were the conspirators. Why was there so much mystery to their usual protector, Cecil? They durst not communicate such a secret, as the king's murder. Robertson could not comprehend that Bothwell acted, as the *cats-paw* of the conspirators: Did not the same conspirators make a cats-paw of the king, at the murder of Rizzio? Yes: Were not the Lord Chancellor, Morton, the Secretary of State, Maitland, and Murray, the minion, the chief conspirators, who assassinated Rizzio? Yes: Did the queen know any thing of Rizzio's murder, which endangered her own life? No: Did the queen know any thing of Darnley's murder, which involved her own ruin? No: The great murderers, with Bothwell, as *their cats-paw*, thus accomplished one of the great objects of their conspiracy: and nothing remained to be done, but to acquit *their cats-paw*, by a delusive trial; to marry him to the queen, as his reward; and then, to dethrone the queen, and expel Bothwell, as *their scape-goat.*

Darnley was decently buried, in the Chapel of Holyrood-house, by the side of James V. On that occasion, the queen retired from Holyrood-house, to the Castle of Edinburgh, where, with shut windows, she gave vent to her sorrow.

The chief conspirators now issued a proclamation, on the 12th of February; offering a reward of 2000*l.* for discovering the perpetrators of this villany. On the 16th of February placards were set up on the public places, accusing Bothwell, and other persons,

of the crime. Darnley was emboweled, and embalmed, and was decently interred, on the 15th of February, in the Abbey Church, by the side of the queen's father[u]. It was objected, by the miscreants, who had murdered the king, that the burial of the king was too private, and the mourning of the queen too short. Bishop Lesley answered this objection, in this manner: "Was not his body embalmed, enseared, and enterred, beside the queen's father, the late King James, accompanied with the Justice Clerk, the Lord of Traquaire, and with divers other gentlemen? The ceremonies, indeed, were the fewer; because that the greatest part of the Council were Protestants, who had before enterred their own parents, without accustomed solemnities: Neither is there any such order, or custom, as is pretended, for the reservation of the corps forty days, nor any such observation was used about the corps of the very father of the prince, neither yet was there any such order taken, by the Council, for the enterring of the said Lord Darnley, but even directly to the contrary[x]."

The application of the bowstring to the neck of Darnley was not such a blow, as was given to the widowed queen, when she heard, that such an end had finished the career of her wayward husband. She had been just reconciled to him, after a long estrangement, and she hoped, to have enjoyed some years with him, in conjugal happiness, when that stroke of conspiracy closed the future prospects of her diversified life. She long, and sorely, bemoaned her husband, even to the loss of her health, as we are

---

[u] Fortunately, for the interests of truth, the Treasurer's accounts of that period have not all been mislaid, or lost: On the 12th of February 1566-7, there is the following charge, by the queen's special command. "To Martene Pitcanit *ypothegar*, to mak furnishing of *droggis, spicis*, and other necessaris, *for oppinyng, and perfuming of the kingis grace majesteis umqle. bodie* - - £40 0 0
Item: For Colis, tubbis, hardis, barrellis, and utheris necessaris, preparit, for bowaling of the kingis grace - - - 2 6 0

[x] Lesley's *Defence*, 1569, p. 13-14. On the 23d of March, there was a solemn Saulemass, with a dirge, done, in the Chapel royal of Holyrood-house, for the said Henry Steuart, at her majesty's command. [Birrel's *Diary*, 7.]

are told, by her faithful adherent[y]. On the 18th of February, the queen, in consequence of the advice of her physician, and the exhortations of her Council, retired from Edinburgh-castle to Seton, the agreeable seat of Lord Seton. The change of air, and the exercise of riding, somewhat composed her harassed spirits. Yet, here was her privacy invaded, and her griefs renewed, by a correspondence with the Earl of Lennox, who was himself not free from blame: yet, he now pressed, for enquiry, and asked, for justice, against those, who had deprived him of his son, by a mysterious murder. The queen's letters to Lennox, evince her innocence of crime, and desire of right[z]: But, if Elizabeth was often baffled, by the artifices of Cecil, what could the milder spirit of Mary enforce, when Murray, her chief adviser, was the principal conspirator, Maitland, her Secretary, who sustained the burden of foresight, was the planner of the conspiracy, and Morton, the most audacious of miscreants, approved its end, and promoted its execution, and Bothwell, the profligate, acted, as the instrument, of the conspirators? She could do but little: And, after awhile, when the public voice began to be a little heard, they appointed a day, for the trial of Bothwell; knowing that they could readily circumvent, and easily baffle, a stronger accuser, than Lennox, when they wished to protect their coadjutor in crime, with the prede-

[y] Lesley's *Defence*, 1569, p. 14. And though not required, by any law, or usage; yet, says he, did this gentle lady bemoan even such a notable time, enjoinge and using none other than candlelight, as was known to all the nobility of Scotland, and also to one Mr. Henry Kyllygrew, who was sent thither, by the queen of England, to her comfort, according to the manner of princes; [See Kyllygrew's letter, *Mem.* i. *App.* No. v.] She had a longer time continued in this lamenting wise, had she not been most earnestly dehorted from her longer continuing thereof, by the vehement persuasions of her Council, who were moved therto, by her physician's informations; declaring to them the imminent dangers of health, and life, if she did not, in all speed, break up, and leave that close, and solitary life; and repair to some good, open, and wholesome air; which she did, being thus advised, and earnestly solicited, by her said Council, &c. Thus far Bishop Lesley, who thus gives us, a very curious trait of the manners of such a queen, in such circumstances.

[z] See those letters, in Keith, 369-73.

termined purpose of dispatching Darnley, and dethroning the queen.

By the murder of Darnley, the first march of the conspiracy had only been made: The acquittal of Bothwell was the second step of the career of conspiracy: The marrying of a conspirator to the widowed queen, was the third, but important point, in their plot: And the dethronement of the queen, after her fortune, and her fame, had been mingled, by her enforced marriage, with the infamy, and fate of Bothwell, was achieved, by the fraud, and force, of those audacious plotters, who cast their own guilt upon the queen's innocence: And, the final end of the whole plan, after such a marriage, which was accomplished, by so many crimes of the same conspirators, was accomplished, by coercing the imprisoned queen, to resign her sceptre to the chief complotter, her bastard brother, whose insatiable ambition was to be satisfied, by any means, by any wickedness. The assassination of Darnley was owing to his own waywardness, and persevering folly, which, however his wife might bear, an unscrupulous, and unprincipled faction would no longer suffer: And his murder, by that faction, as the State Papers, and the Statute Book, evince, must give a new cast to the whole history of Scotland, during that profligate age.

SUBSIDIARY DOCUMENTS.

No. I.—*Of Lord Darnley's Education, of his, and his Father's Views, on the Queen, and on the Hamiltons.*

HE appears to have received his juvenile education, at his father's house, under a private tutor: and to have imbibed from such a source, all the puerile, and pettish habits of such a school. We first see him in public, at Elizabeth's court, a *tall lad* of 19: And he soon after arrived, in Scotland, with all his prejudices, and weaknesses about him, in February 1564-5, when he was scarcely 20 years of age: He was married to the queen on the 29th of July 1565, according to the ancient form, in the Chapel of Holyrood-house.

The queen, who was highly educated herself, was very sensible of Darnley's defects, and endeavoured to amend his imperfections[a]. But, he was too self sufficient for instruction, and too irascible for social intercourse: He thus offended several of the nobles, who could not brook his petulance, though they had voted for his marriage, and supported the queen's authority, when it was attacked, by domestic rebellion, and Elizabeth's intrigues: So that he seemed to verify Randolph's prediction, *that the queen would have but a sorry life with him.*

Lennox, and Darnley, for whom the queen had already done so much, by the restoration of the first to his country, his titles, and estates; and by creating the last, an earl, a duke, and a king, began in November, and De-

[a] From Randolph's Dispatches to Cecil, it appears, that the queen took much pains, to improve Darnley's mind, to smooth his temper, and to inspire him with the manners of a man, and the address of a courtier. Sir James Melvill, who had seen much of the world, at the court of France, informs us [*Mem.* 58.] that soon after their marriage, the queen desired him to wait upon the king, and to give him good counsel, which might help him, to avoid many difficulties. But, he had not any *lords of the bedchamber*, or grooms of the bedchamber, or even gentlemen of the Privy chamber.

cember 1565, by pressing unreasonable demands, for unattainable objects, to harass the queen's repose, and to distract her government. Two of those objects were intimately connected with each other: 1st. The crown matrimonial, for Darnley; and 2dly, the ruin of the family of Hamilton, the head of which [the Duke of Chatelherault] was, under an act of Parliament, the second person, in Scotland, and heir presumptive of the crown. Darnley, at his marriage, had obtained *the crown matrimonial*, when he was, by the queen's authority, declared *king*, and as such to have his name placed with hers, in all public proceedings[b]. What further entered into his shallow contemplation, under such undefined terms, as *the crown matrimonial*, is not explained in any of the dispatches, or writers of that age. But, the nature of the objects, which he was instructed, by artifice, to ask, was not in the queen's power to give, if we may infer what his objects were, from the traitorous compacts, which Darnley, and his father, entered into with certain conspirators, who, for their own interests, deluded Lennox, and Darnley, into "privy conspiracy and rebellion[c]." From those documents, it is quite apparent, that he aimed at nothing less, than converting his nominal sovereignty, during the queen's life, into a real sovereignty, during his own life: It was even stipulated, in those guilty papers, if the queen should die, without issue, that the sovereignty should be continued, in Darnley, and his family, for ever, to the exclusion of the legal heirs, who were to be extirpated, if they should oppose, such a transfer of the crown, from themselves, to Darnley, and his family. This engagement, then, which was as illegal, as it was treasonable, reflects much light on the real meaning of the obscure objects, for which Darnley, and Lennox, were so clamorous, in the preceding months of November, December, and January; and evinces how much the ruin of the duke, and his family, was connected, with the interested demands, of Darnley, and Lennox.

The duke, and his family, were saved from ruin, by the queen's attention to them; and she had loaded him, and his sons, since her return to Scotland, in August 1561, with favours, and benefits, for which she received, from them, very ungrateful returns[d]. As the queen knew, that the duke had been drawn into the rebellion, by the artifices of Murray, she was

[b] Keith 306-7. [c] See those treasonable documents in Goodall, i. 227-31-42.
[d] Randolph's *Dispatches* 1561, 1562, in the Paper Office.

averse from proceeding to extremities against him, or his sons[e]: She was even averse from proceeding to extremities against the duke, or his sons, and refrained from giving away any of his forfeited property, or disposing of his son's benefices[f]. After the duke had retired to Newcastle, in October 1565, his guilty conscience so harassed his feeble mind, as to throw him on the bed of sickness; so as to induce Bedford to repair, from Berwick, to Newcastle; to comfort him[g]. In November 1565, the duke sent Ormiston into Scotland, to solicit, from the offended queen, a pardon for himself, and his sons, and their followers: But, the queen's gracious purpose, in their favour, was disappointed, by *Darnley's opposition:* In December, the duke sent his cousin, Gawin Hamilton, the commendator of Kilwinning, to the Scotish court, for renewing his former instances: his solicitations were, constantly, traversed, by Darnley; yet, the queen granted his requests: And in order to gratify her husband, and his father, she made it an essential condition of his pardon, that the duke, and his sons, David, and Claud, should live abroad, during five years[h]. The queen's beneficent,

---

[e] The queen was even at pains to keep the duke, and his family, out of Murray's rebellion: When she heard, that Murray had gained the duke to his purpose, she sent the *Justice Clerk*, on the 8th of May 1565, to warn him of the ruinous consequences of his joining Murray; and to give him an ample assurance, for his extensive possessions, if he continued loyal to her, and to himself. The duke was satisfied with the queen's assurances; and signed a written engagement to support the queen's marriage, with Darnley: But, Murray's artifices again prevailed over the duke's weakness; who was thus deluded to lend his name, his influence, and his many followers, to the traitorous purposes of Murray.

[f] The whole of the duke's forfeited property was restored to him, on his pardon. *Privy Seal Reg.* xxxiv. 30. His second son, John, held, as commendator, the rich Abbey of Arbroath, which he had obtained, before he was of age; and his youngest son, Claud, held the Deanery of Dunbar, though he was then under age. *Ib.* 44. The queen did not give away either of those benefices: But, in order to gratify Lennox's avarice, she granted him, in October 1565, *her own third* of the revenue of the Abbey of Arbroath. *Ib.* xxxiii. 125: and she also granted him one half of the escheated property of the Earl of Glencairn. *Ib.* xxxiv. 65.

[g] Bedford's Letters to Cecil, 29th October, and 1st November, in the Paper Office.

[h] Keith 320; *Ib. App.* 165-6. On the 2d of January 1565-6, the queen granted a pardon to the duke, and his sons, and their followers, who were chiefly of the name of Hamilton: and in this remission, there are more than 250 friends of the house of Hamilton, specially, named, of whom, no fewer than 153 were of the surname of Hamilton, with the town of Hamilton. *Privy Seal Reg.* xxxiv. 29-31. It thus appears, that the duke carried into the late rebellion more followers, than all the other leaders. They had a licence to depart, on the following day. *Id.* The queen gave

and merciful conduct to the duke, and his family, gave great offence to Darnley, and his father; the pitiful rival of the Hamiltons, who were not satisfied, by the expatriation of the hated family; as nothing could satisfy the king, and his father, but the forfeiture, and the ruin of those, whom they envied, and hated [i].

No. II.—*Proofs of Darnley's Misconduct; of the Queen's Innocence; and of the Guilt of the Conspirators, who murdered him, and ruined her.*

(1) A LETTER from the PRIVY COUNCIL of SCOTLAND, dated the 8th of October 1566, to the QUEEN MOTHER of FRANCE. [*From Keith, 347-50.*]

MADAM,

The great benefit this nation has always reap'd from the ancient confederacy and mutual good understanding between the two crowns of France and Scotland, emboldens us to transmit this narration to your majesty, tho' we are sorry at the same time to have any grounds of complaint against those to whom we owe all dutiful obedience.

The respect we bear to the king, as being husband to the queen our sovereign, on whom she has been pleased to confer so much honour, and raise him to so high a degree of dignity, inclines us to speak of him and of every thing that relates to him, with much modesty, and would dispose us joyfully to pass over in silence the huge injury he does to himself, to the queen's majesty, and of consequence to all of us here, if our concealing the same could have the influence to bury it in obscurity: but seeing that he himself is the very first person, who by his deportment will needs discover it to the world, we can do no less, both for satisfying the office we bear, and the duty we owe to the queen, than to testify the things which we have

---

the duke a general letter to all princes, and potentates, to allow him to travel, and reside, for the benefit of his health. *Register of State Letters*, in the Register House.

[i] Keith, 329.

both seen and heard, to all those who are allied to her majesty, especially to the king your son and your majesty's ownself, whom we look upon to be the principal supports of our sovereign and her crown; that by these you may have opportunity to perceive the great trouble and vexation the queen our sovereign labours under at present, and the occasion of it. About ten or twelve days ago, the queen at our request came to this town of Lisleburgh to give her orders about some affairs of state, which without her personal presence could not be got dispatched. Her majesty was desirous the king should have comed along with her; but because he liked to remain at Stirling and wait her return thither, she left him there, with intention to go towards him again, in five or six days. Mean time while the queen was absent, the Earl of Lennox his father came to visit him at Stirling; and having remained with him two or three days, he went his way again to Glasgow, the ordinary place of his abode. From Glasgow my Lord Lennox wrote to the queen, and acquainted her majesty, that although formerly both by letters and messages, and now also by communication with his son, he had endeavoured to divert him from an enterprize he had in view, he nevertheless had not the interest to make him alter his mind. This project, he tells the queen, was to retire out of the kingdom beyond sea; and for this purpose he had just then a ship lying ready. The Earl of Lennox's letter came to the queen's hand on St. Michael's day (29th September:) and her majesty was pleased to impart the same, incontinent, to the Lords of her Council, in order to receive advice there upon: And if her majesty was surprized by this advertisement from the Earl of Lennox; these Lords were no less astonished to understand that the king, who may justly esteem himself happy upon account of the honour the queen has been pleased to confer upon him, and whose chief aim should be to render himself grateful for her bounty, and behave himself honourably and dutifully towards her, should entertain any thought of departing after so strange a manner out of her presence; nor was it possible for them to form a conjecture from whence such an imagination could take its rise: their lordships therefore took a resolution to talk with the king, that they might learn from himself the occasion of this hasty deliberation of his (if any such he had), and likewise that they might thereby be enabled to advise her majesty after what manner she should comport herself in this conjuncture. The same evening the king came to Edinburgh, but made some difficulty to enter into the palace, by reason that three or four lords were at that time present

with the queen, and peremptorily insisted that they might be gone before he would condescend to come in; which deportment appeared to be abundantly unreasonable, since they were three of the greatest lords in the kingdom; and that those kings who by their own birth were sovereigns of the realm, have never acted in that manner towards the nobility. The queen however received this behaviour as decently as was possible, and condescended so far as to meet the king without the palace, and so conducted him into her own apartment, where he remained all night; and then her majesty entred calmly with him upon the subject of his going abroad, that she might understand from himself the occasion of such a resolution. But he would by no means give or acknowledge that he had any occasion offered him of discontent. The Lords of Council being acquainted early next morning that the king was just a going to return to Stirling, they repaired to the queen's apartment; and no other person being present except their Lordships and Mons. Du Croc, whom they prayed to assist with them, as being here on the part of your majesty, the occasion of their meeting together was then with all humility and reverence due to their majesties, proposed; namely, to understand from the king, whether according to advice imparted to the queen, by the Earl of Lennox, he had formed a resolution to depart by sea out of the realm, and upon what ground, and for what end? That if his resolution proceeded from discontent, they were earnest to know what persons had afforded an occasion for the same? that if he could complain of any of the subjects of the realm, be they of what quality soever, the fault should be immediately repaired to his satisfaction. And here we did remonstrate to him, that his own honour, the queen's honour, the honour of us all, were concerned; for if without just occasion ministred, he would retire from the place he had received so much honour, and abandon the society of her to whom he is so far obliged, that in order to advance him she has humbled herself, and from being his sovereign had surrendered herself to be his wife: if he should act in this sort, the whole world would blame him as ingrate, regardless of the friendship the queen bare him, and utterly unworthy to possess the place to which she had exalted him. On the other hand, that if any just occasion had been given him, it behoved the same to be very important; since it inclined him to relinquish so beautiful a queen and noble realm; and the same must have been afforded him either by the queen herself, or by us her ministers. As for us, we professed ourselves ready to do him all the justice he could demand; and

for her majesty, so far was she from ministring to him occasion of discontent, that on the contrary he had all the reason in the world to thank God for giving him so wise and virtuous a person, as she had showed herself in all her actions. Then her majesty was pleased to enter into the discourse, and spoke affectionately to him, beseeching him that seeing he would not open his mind in private to her the last night, according to her most earnest request; he would at least be pleased to declare before these lords, where she had offended him in any thing: she likewise said, that she had a clear conscience that in all her life she had done no action which could anywise prejudice either his or her own honour; but nevertheless that as she might perhaps have given him offence without design, she was willing to make amends as far as he should require; and therefore prayed him not to dissemble the occasion of his displeasure if any he had, nor to spare her in the least matter. But tho' the queen and all others that were present, together with Mons. du Croc, used all the interest they were able, to perswade him to open his mind; yet he would not at all own that he intended any voyage, or had any discontent; and declared freely that the queen had given him no occasion for any: whereupon he took leave of her majesty, and went his way: so that we were all of opinion that this was but false alarm the Earl of Lennox was willing to give her majesty. Nevertheless by a letter which the king has since wrote to the queen in a sort of a disguised stile, it appears that he still has it in his head to leave the kingdom, and there is advertisement otherwise that he is secretly preparing to be gone:—of all which, and what passed betwixt their majesties and us, we could not fail to inform you; and to testify like as we do by these presents, that so far as things could come to our knowledge he has no ground of complaint; but on the contrary, that he has the very best of reason to look upon himself as one of the most fortunate princes in Christendom, could he but know his own happyness and make use of the good fortune which God has put into his hands. 'Tis true that in the letter he wrote the queen he grounds a complaint on two points: One is, that her majesty trusts him not with so much authority, nor is at such pains to advance him and make him be honoured in the nation, as she at first did: and the other point is, that nobody attends him, and that the nobility deserts his company. To those two points the queen has made answer, that if the case be so, he ought to blame himself, not her; for that in the beginning she had conferred so much honour upon him, as came afterwards to render herself

very uneasy, the credit and reputation wherein she had placed him having served as a shadow to those who have most hainously offended her majesty: but howsoever, that she has notwithstanding this, continued to show him such respect, that altho' they who did perpetrate the murder of her faithful servant, had entred her chamber with his knowledge, having followed him close at the back, and had named him the chief of their enterprize: yet would she never accuse him thereof, but did always excuse him, and was willing to appear as if she believed it not: And then as to his being not attended, the fault thereof must be charged upon himself, since she has always made an offer to him of her own servants. And for the nobility, they come to court, and pay deference, and respect according as they have any matters to do, and as they receive a kindly countenance: But that he is at no pains to gain them, and make himself beloved by them, having gone so far as to prohibite these noblemen to enter his room, who she had at first appointed to be about his person: if the nobility abandon him, his own deportment towards them is the cause thereof; for if he desires to be followed and attended by them, he must in the first place make them to love him; and to this purpose, must render himself amiable to them: without which it will prove a most difficult task for her majesty to regulate this point, especially to make the nobility consent that he shall have the management of affairs put into his hands; because she finds them utterly averse to any such matter. And now your majesty will by this narrative be able to form a judgement, whether or no the reasons be well grounded, which the king alledges for the colouring over his projects. We were willing to lay them before you according to all the knowledge we have of them, most humbly beseeching your majesty, that if, in order to palliate his fault, any other persons shall happen to report any otherwise to you than what we do write, your majesty may not trust any thing they shall contrive, in prejudice of the truth and of our testimony. And thus, madam, we earnestly pray God may grant your health and the accomplishment of all your desires. From Lisleburgh this 8th October 1566.

(2) A LETTER from Mons. LE CROC, the French Ambassador, in Scotland, to the Scotish Queen's Ambassador at Paris, dated the 15th of October 1566. [*From Keith* 345-7.]

MONSIEUR,

On the 22d day of the last month your brother Mr. Bethune arrived at Stirling, where he found this queen in good health, as likewise the prince her son, who is a very fine child: and thrives so well that against the time of his cristening his God fathers will feel the weight of bearing him in their arms. They are lookt for about the end of this month. The queen is now returned from Stirling to Lisleburgh, as being vacation-season, which as you know, continues in this country from August untill Martinmass, and during which the nobility are convened to look after the publick affairs of the queen and her realm. The king however abode still at Stirling, and he told me there, he had a mind to go beyond sea in a sort of desperation. I said to him what I thought proper at the time, but still I could not believe he was in earnest. Since that time the Earl of Lennox his father came to visit him: and he has written a letter to the queen, signifying, that it is not in his power to divert his son from his intended voyage; and prays her majesty to use her interest there in. This letter from the Earl of Lennox, the queen received on Michaelmass day in the morning: and that same evening the king arrived here about ten of the clock. When he and the queen were a bed together, her majesty took occasion to talk to him about the contents of his father's letter, and besought him to declare to her the ground of his designed voyage: but in this he would by no means satisfy her. Early next morning the queen sent for me, and for all the Lords and other Counsellors: As we were all met in their majesties presence, the bishop of Ross (John Leslie) by the queen's commandment declared to the Council the king's intention to go beyond sea, for which purpose he had a ship lying ready to sail: and that her majesty's information hereof proceeded not from the rumour of the town, but from a letter written to her by his own father the Earl of Lennox: which letter was likewise read in the Council. And thereafter the queen prayed the king to declare in presence of the

lords and before me the reason of his projected departure: since he would not be pleased to notify the same to her in private betwixt themselves. She likewise took him by the hand, and besought him for God's sake to declare if she had given him any occasion for this resolution: and entreated he might deal plainly and not spare her. Moreover all the lords likewise said to him, that if there was any fault on their part, upon his declaring it, they were ready to reform it; and I likewise took the freedom to tell him, that his departure must certainly affect either his own or the queen's honour: That if the queen had afforded any ground for it, his declaring the same would affect her majesty: as on the other hand if he should go away without giving any cause for it, this thing could not at all redound to his praise: Therefore that since I was in this honourable employment, I could not fail, according to my charge, to give my testimony to the truth of what I had both formerly seen, and did presently see. After several things of this kind had passed amongst us, the king at last declared that he had no ground at all given him for such a deliberation, and thereupon he went out of the Chamber of Presence saying to the queen, Adieu, madam, you shall not see my face for a long space: After which he likewise bade me farewell: and next turning himself to the lords in general, said, Gentlemen adieu. He is not yet embarked, but we receive advertisement from day to day that he still holds on his resolution and keeps a ship in readyness. 'Tis in vain to imagine that he shall be able to raise any disturbance; for there is not one person in all this kingdom, from the highest to the lowest, that regards him any farther than is agreeable to the queen. And I never saw her majesty so much beloved, esteemed and honoured: nor so great a harmony amongst all her subjects as at present is, by her wise conduct; for I cannot perceive the smallest difference or division. I suppose your brother Mr. Bethune, Mr. Thornton, and other friends, write you so amply concerning all matters, that I need trouble you with no more. This queen hath commanded me to write to her mother-in-law (queen-mother of France) touching the promiss which the late king her father-in-law made be ratified to you by the late king her husband, and afterwards by the king now reigning. Mr. Thornton can inform you what I have wrote thereanent. And I beg you'll believe that I will as cheerfully perform any thing that concerns you, as you can desire me; for I am much beholden to you, both for the good offices you do me yourself, and for those I receive from your friends here; for all which I render you my most humble thanks. The

Cardinal of Lorrain acquaints me, that I must remain here about the queen two months longer than was in my commission, and assures me that money for the defraying of my charges shall be sent by my son, who is to come hither in the retinue of the Count de Briene. I wish it may be so; for in the mean time I lay out a great deal of money. Tho' still I be not able sufficiently to express the honour and bounty the queen here shows me; for she often prays me to ask money from her or any other thing I stand in need of. All the Lords likewise open their purses to me, and testify a desire that I may not go away: however I am hopeful (please God) to return immediately after the baptism is over. You will be informed. Do write an account of all things they and I are daily witnesses of, to the king and queen (of France) and the Cardinal of Lorrain. This is all I have to say at this time, except to recommend myself most humbly to your favour, in which I beseech you to allow me both to live and die. I pray God, Monsieur, to grant you long life and health. From Jedburgh this 15th of October 1566.

Your most humble and obedient servant,

LE CROC.

P.S. After I had finished this letter, the queen resolved to delay her dispatch until she should be at this town of Jedburgh, and ordered me to follow her thither in five or six days; which I did. And during the five or six days that I continued at Lisleburgh, the king, who had gone to Glasgow, sent me word to meet him half way: I obeyed him, and found his father the Earl of Lennox with him. We had much communing together; and I remonstrated to him every thing that I could think of: and now I believe he will not go out of the kingdom: tho' I can perceive that he still entertains some displeasure. I came hither to Jedburgh, on purpose to signify to the queen what the king had spoken to me, and what I had said to him.

(3) A LETTER from the Scotish Queen's Ambassador, at London, Mr. ROBERT MELVIL, dated the 22d of October 1566, to the same Queen's Ambassador at Paris. [*From Keith, 350-1.*]

Efter my humil commendatioun and service unto your lordschip I have bien in this countre this aught dayis past, and wauld have bien glad to have advertist your lordschip as weil of the estait heir as of our awin countre: and the lak (want) of fuir bearirs hes impedit the same: First for our awin affaires, I will impairt to your lordschip quhilk I am sory of: The quene our soverane wes in sum displeisure at my department upoun evil behaviour of the kingis pairt, who wes of mynd to depairt out of the realme, and no occasion gevin him be hir majestie, as the hole counsale can record: nether will he declair quhairin his discontentment is, bot in general that he is not regardit with the nobilite as he sould be, nether can obtene sic thingis as he sickes, to witt sic personis as the Secretary (Lethington) the Justice Clerk, and Clerk of Register, to be putt out of thair office: Alledging thay sould be guilty of the last odious fact quhair of the quenis majestie hath takin tryal, and findis thame not giltie thairin: with dyvers eithir thingis not worth the rehearsal: Sens my depairture, I heir he is stayit, bot hes not sens come neir the quene. Hir majestie in Jedward presentlie and remanis fifteen dayis langar, gif the goeing of the commissionaris for the cristening of the prince do not haist hir majestie. Th' Erle Bodwell having an occasion to ryd in Liddisdail befoir, to bring in sum of the Eliotes, wes hurt be one of thame; bot he will recover. The circumstances, this berar can declair to your lordschip. The nobilitie wes in gude accord among thairselvis and the countre quyet.

For the estait of this realme. The Parliment sitts daily, and matter of importance passit at this present. I was direstit from my soverane to knaw at the quene heir, quhither it be hir mynd to move any thyng of the succession. At London, the 22d October.

Be your lordships to command at power and service

ROBERT MELVIL.

(4) A LETTER from the French Ambassador, LE CROC, to the Scotish Queen's Ambassador, at Paris, dated at Stirling, the 23d of December 1566. [*From Keith.*]

The queen is for the present at Craigmillar, about a league distant from this city, she is in hands of the physicians, and I do assure you is not at all well; and I do believe the principal part of her disease to consist in a deep grief and sorrow, nor does it seem possible to make her forget the same, still she repeats these words, I could wish to be dead. You know very well the injury she has received is very great, and her majesty will never forget it. The king her husband came to visit her at Jedburgh the very day after Captain Hay went away, he remained there but one single night; and yet in that short time I had a great deal of conversation with him, he returned to see the queen five or six days ago: and the day before yesterday he sent word to desire me to speak with him half a league from this; which I complied with, and found that things go still worse and worse. I think he intends going away tomorrow; but in any event I'm much assured as I always have been, that he won't be present at the baptism. To speak my mind freely to you (but I beg you not to disclose what I say in any place, that may turn to my prejudice) I do not expect upon several accounts any good understanding between them, unless God effectually put to his hand: I shall only name two: the first is, the king will never humble himself as he ought: the other is, she can't perceive any one nobleman speaking with the king but presently she suspects some contrivance amongst them: (The rest of this letter is concerning his appointments and personal concerns: and he only adds) The queen reckons to be going to Stirling five or six days hence, and the baptism is appointed to be on the 12th of this month.

The baptism of the prince was performed Tuesday last, when he got the name of Charles James: it was the queen's pleasure that he should bear the name James, together with that of Charles (the King of France's name), because, said she, all the good kings of Scotland his predecessors who have been most devoted to the crown of France, were called by the name of James. Every thing at this solemnity was done according to the form of the Holy Roman Catholick Church. The king (Lord Darnley)

had still given out, that he would depart two days before the baptism; but when the time came on he made no sign of removing at all, only he still kept close within his own apartment. The very day of the baptism he sent three several times desiring me either to come and see him, or to appoint him an hour that he might come to me in my lodgings; so that I found myself obliged at last to signify to him, that seeing he was in no good correspondence with the queen, I had it in charge from the most Christian king to have no conference with him; and I caused tell him likewise, that as it would not be very proper for him to come to my lodgings, because there was such a crowd of company there, so he might know that there were two passages to it, and if he should enter by the one, I would be constrained to go out by the other. His bad deportment is incurable, nor can there be ever any good expected from him for several reasons, which I might tell you, was I present with you. I can't pretend to foretell how all may turn; but I will say that matters can't subsist long as they are without being accompanied with sundry bad consequences. (This is all he says concerning the king.) He next gives an account of his being obliged to supply the place of the Ambassador of Savoy, who was not yet arrived, and speaks of his own personal concerns only; (and then adds) The queen behaved admirably well all the time of the baptism; and showed so much earnestness to entertain all the goodly company in the best manner, that this made her forget in a good measure her former ailments. But I am of the mind however, that she will give us some trouble as yet; nor can I be brought to think otherwise, so long as she continues to be so pensive and melancholy. She sent for me yesterday, and I found her laid on the bed weeping sore; and she complained of a grievous pain in her side, and from a surcharge of evils, it chanced that the day her majesty set out from Edinburgh for this place, she hurt one of her breast on the horse, which she told me is now swelled. I am much grieved for the many troubles and vexations she meets with.—From Stirling this 23d of December, 1566.

(5) The four foregoing letters, which are instructive, in themselves, exhibit, with sufficient distinctness, the real grounds of the conspiracy, which had for its odious ends, the murder of Darnley, and the dethronement of the queen.

That Darnley was murdered, by a conspiracy of nobles, which had the Earl of Murray, for its head, and Queen Elizabeth, for its protector, has been already demonstrated, by the State Papers, and the Statute Book.

At the 1st of October 1566, there was but one faction, in Scotland, which had Murray, for its chief, and had Elizabeth, for its protector: So that Murray's faction, and Elizabeth's faction were identified. This party was all-powerful, comprehending as it did, all the leading men, in Scotland, for abilities, and vigour, with the officers of state; and considering, that it was a faction, without religion, or morals, without honour, or scruples. To that faction, the Earl of Bothwell had always been opposed, and by that faction had been persecuted: But, he was at that epoch gained over to it, by Murray, who, in his answer to Huntley and Argyle, acknowledged the fact of his reconcilement with Bothwell. Such a conspiracy, for the king's murder, and the queen's dethronement, would not have existed, for a day, if Murray had not been its chief, and had not aided, in the execution of it, though he did not openly appear, till the queen was dethroned, and he had been appointed regent.

The leading conspirators first appeared, in the treasonous act of concerting the murder of Darnley, about the 20th of January 1566-7, at Whittingham, upon the return of Morton, from England, after his pardon, for the assassination of Rizzio. At that epoch, Secretary Maitland, who had, in confidence with Murray, communicated to the expatriated Morton, the rise, and progress of the plot against the king, and queen, met Morton, at Whittingham, with the Earl of Bothwell, in his company, who had been engaged to be the principal assassin, upon stipulations, from the chief conspirators, of being saved harmless, and of having the queen, in marriage, in reward. The State Papers prove, what indeed is acknowledged, the meeting of those three conspirators, at Whittingham, as well as the object of their meeting, which was avowed to be the concerting of Darnley's murder. The Statute book evinces, that those three conspirators, Morton, Maitland, and Bothwell, were actually convicted, and punished, for the murder of

Darnley. The record of their several convictions is the *Acta Parliamentorum*, Vol. iii. The concert, and convictions of those three conspirators would demonstrate the innocence of the queen; if her ruin had not been one of the great objects of the conspiracy, for placing Murray, in the vice-regal chair.

The whole detail of this shocking conspiracy, as the facts came out, successively, evince (1) that Bothwell, in performing his part, acted, wholly, in concert with the conspirators, but not with the queen; (2) that he had been promised, by them, indemnity, and reward; (3) that they did save him harmless, when he was prosecuted, for Darnley's murder; (4) that they did obtain declarations, in his favour, which incited him, to arrest the queen's person, to carry her by force to his Castle of Dunbar, and therein to enforce her consent to marry him. The act, attainting him of treason, for those deeds, demonstrates his guilt, and her innocence, who could incur no guilt, from an enforced marriage. See the Statute, in the same *Acta Parliamentorum*. See many proofs of all those points, in the first section of this volume, with the Subsidiary Documents annexed.

Yet, are there those, who ask, if Murray had any concernment, in this great, and guilty, conspiracy? Such persons would do well to recollect, that there are no accessories, in treason, and no half-guilty complotters.

Born to nothing, and ambitious of every thing, Murray was by education, by habit, and profession, a plotter. He was, at the head of this faction, as early as *1552*. In *1560*, he became Elizabeth's agent, in Scotland; and, having no moral character, while he affected much religion, he concurred with Secretary Cecil, in imposing upon his country the spurious treaty of Edinburgh, in that year. He thus early began, if not earlier, to aim, at the queen's sceptre. He had the baseness, in the subsequent year, to advise the English government, to intercept the queen's return, that he might enjoy her kingdom. He opposed the queen's marriage with Darnley; in order to prevent any legitimate issue; and to gratify Elizabeth's guilty passions. On that occasion, Murray entered into a plot, for seizing the queen, and Darnley, at the Kirk of Beath. In order to prevent his forfeiture, he engaged in the abominable conspiracy, for assassinating Rizzio, in the queen's presence. And yet, is it asked, whether he partook of the plot, for the murder of Darnley, and the dethronement of the queen. Yes; he entered, with ardour, into the conspiracy, at its commencement. He was present, in Craigmillar-castle, when the plot was finally settled, and detailed, after the queen had refused to be divorced. But, according to his

usual policy, he skulked, when, by his associates, the murder was to be done. He afterwards, cherished Bothwell, knowing that, he was the most ostensible, though not the most guilty murderer. When the queen, in the progress of the plot, was to be dethroned, by his complotters, he retired, from Edinburgh, to London, and to Paris: And, by the way, he communicated, to Cecil the detail of what remained to be done; as we know from documents. His associates, in Scotland, constantly corresponded with him, during his absence, by means of Cecil; as we learn from the *Cabalā*. And he, finally, received the sceptre, not from the imprisoned queen, who was constrained, to sign papers, which she never read; but, from the conspirators, who dethroned her, at the head of whom, was Morton, the convicted murderer of Darnley. The whole of those treasonous transactions were done, by his faction, for his behoof; and, of course, he partook of their guilty acts.

MEMOIR IV.

Memoirs of James, Earl Bothwell.

THE life of a noble, who acted so memorable a part, in the sad tragedy of Mary's reign, merits here a more particular investigation, than has hitherto been derived, from calumnious anecdote, and doubtful history.

In both those sources of dubious information, he has been confounded with his father, Earl Patrick, who was one of the most profligate men of a most corrupt age. Earl Patrick was, probably, born, in 1512; as his father, and mother, were married, as we may infer, from the Great Seal Record, soon after August 1511: And, his father fell on Flodden Field, upon the 13th of August 1513[k]. When scarcely five years old, he thus appears to have been taken out of his mother's custody; and carried to France, in September 1517. He was, probably, redelivered to his mother,

[k] On the 23d of May 1517, the Privy Council, for certain considerations moving them, ordered the Earl of Bothwell to be put into the Lord Governor's keeping; and the Countess his mother was directed to deliver him to the order of Albany. [*Minutes of Council.*] On the 21st of Nov. 1517, there is a petition of Agnes, Countess of Bothwell, to the Regents in Council, stating that, she was, by dread, compelled, to deliver her son, the Earl of Bothwell, to the Governor, who gave him in keeping to my lord *le Bastie*; and after his death [19th Sept. 1517] his widow, at her own hand, without the consent of the said Earl's mother, or any of his friends, has lately carried him to parts beyond sea: Wherefore, she prays remeid; as she is heavily injured, by the taking away of her son, who is now in his tender, and less age; and desires, that the Governor may be written to, for to send her son home, to be kept by her till he be xvii years complete, according to law, equity, and justice; considering that she has no more but him to do her, and her friends comfort, and consolation. [*Minutes of Council.*] This was Earl Patrick, who was then an infant.

by the Regent's order, who governed, in the absence of Albany. In such circumstances, we may easily suppose, that his education could not have been much, or very regular: Before he was three and twenty, he was a prisoner, in Edinburgh-castle, for whatever offences: And on the 4th of April 1535, he gave his bond; obliging himself to remove from Scotland, for twenty years[l]. Yet, he appears to have soon returned: For, he was required to enter into a second bond, at Inverness, on the 1st of August 1539, to banish himself, from Scotland, England, and France, during the king's pleasure, and not to acquire, by any means, his restoration[m]. During the subsequent warfare with England, he appears to have joined that hostile country against his own[n]. In September 1549, he obtained, from the English Government, an annual pension of 3000 crowns, and an assurance of indemnity, for his estates, which lay on the disputatious borders[o]. He was induced, however, by the intrigues of the dowager queen, to return to Scotland, in 1553[p]: And, she gave him a remission, for all his treasons,

[l] Sir Lewis Stewart's *MS. Collections.*

[m] *Id.* He was obliged to give, at the same time, a power to James Hepburn, the Dean of Dunkeld; obliging himself to resign into the king's hands the Lordship of Liddisdale.

[n] *Privy Council Register* of the 28th Feb. 1547-8.

[o] Rym. *Fœd.* xv. 190.

[p] There remains in the Register-house, at Edinburgh, an original letter of Earl Patrick to the Queen Regent, which is curious in itself, and marks the epoch of his return:—

"It may pleiss your gude grace yat efter gret storme off wedder and hevy laboris be ye see I arrivit heir in lawdiane quhair I remane as yit willing wt trew hart to offer & to do yor grace my detfull dewite of service And becaus I am by violent tempest and storme on ye see sumpart crasit and alterit in my persoun And nocht sa habill at yis present to do sic service as my will commadis & steris me to // Sua to excuss my unhabilnes unto your grace / And to haue yor grace directioun quhat I sall do presentlie & quhare I sall address me to cum to yor grace presens I haue send yis berar my cousing of Trakwair to haue yor grace mynd & cõmand towart me heirintill: And sen I will not impesche your grace wt reding off lang lett this berar will schaw your grace at mair lentht likas I haue giffin to him in charge / sua it will

on the 26th of March 1554; as we know from the Privy Seal Record. He soon after joined the queen, at Stirling, with other nobles, who resolved, that she should have the regency, in the place of the Duke of Chatelherault[q]. Earl Patrick appeared, in the Parliament, which assembled, at Edinburgh, on the 10th of April 1554. And, two days after, he subscribed the Parliamentary Declaration, which was given to the same duke, as an indemnity, for his feeble, and corrupt administration[r]. The epoch of the queen mother's regency, under the authority of the Estates, is the 12th of April 1554. She now employed Earl Patrick, as her Lieutenant on *the Borders*[s]. He died, at Dumfries, about the end of September 1556, aged forty-four[t]. Earl Patrick married Agnes Sinclair, the daughter of Henry, Lord Sinclair; by whom he had one son, James, who succeeded him, and a daughter Jane, who

---

pleiss yo^r grace gyff him credens. And thus prays ye Almichting god to haue your grace in keping. Off Crechtoun ye xii day of November 1553."

your grace humill and obedient servitour at power

To the Quenis Grace. ERLE BOTHUILL.

[q] Lodge's *Illustrations*, i. 295. He supposes, mistakingly, that proceeding to have taken place, in 1558.

[r] *Acta Parl.*, 597. The regent queen granted to Earl Patrick, on the 5th of August 1554, the ward and marriage of Walter Scot, the son, and heir, of the late Sir William Scot of Kirkurd, and grandson, and heir of the late Sir Walter Scot of Branxholm. [*Privy Seal Reg.* xxvii. fol. 75.]

[s] Earl Patrick met the English Commissioners, at Ryding-burn, for redressing mutual injuries, on the middle Marches, upon the 12th of May 1556. [Lodge's *Illust.* i. 214.] In August 1556, Earl Patrick resided, at Dumfries, as the queen's lieutenant, on the west borders. There are, in the month of August 1556, various charges, in the Treasurer's accounts, for expresses, sent to Earl Patrick, in Dumfries. On the 31st of August 1556, there was a payment to P. Thomson, the Ilay herald, going from Edinburgh to Dumfries, and Annan, with a commission of *Wardenrie*, to Earl Patrick, and a charge to deliver the Castle of Lochmaban to the same Earl. [*Id.*]

[t] The place of his death is specified, in the process, for proving the consanguinity of Earl James with Lady Jane Gordon: And the time of his death is ascertained, by the service *post mortem* of his son, on the 2d of November 1556.

married, in January 1561-2, John, Commendator of Coldinham, who was one of the many bastards of James V.; and who died, in 1563. By him, she had an only son, Francis, who was created Earl Bothwell, by James VI.; and, by his practices, did not disparage the deeds of his uncle, and grandfather. The widowed Jane married, secondly, in 1566, John, Master of Cathness, who died, in 1577; and she married, thirdly, the notorious Archibald Douglas, the Parson of Glasgow, and one of the Lords of Session. Earl Patrick was divorced, from Agnes Sinclair, at some time before his remission, and restoration, in March 1554; as she obtained, on the 13th of March 1553-4, a charter of confirmation of three charters granted, by Patrick Earl Bothwell, to Agnes Sinclair, *formerly*, his spouse[u]. She long outlived Earl Patrick; and held, under those charters, till her death, in 1573, the barony of Moreham, which the Regent Morton, then seized, as belonging to the king, by the forfeiture of her son, and heir, James Earl Bothwell[x].

Earl James thus succeeded his father, in his titles, estates, and offices, in September 1556, when he was about five, or six and twenty years of age[y]: And, he now enjoyed, from the third Earl,

---

[u] *Privy Seal Reg.* xxvii. fol. 14. James, Earl Bothwell, at the Craigmillar conference, speaks of the divorce of his father, and mother, as not having injured his title, or estate.

[x] On the 8th of October 1573, the regent granted a lease of the barony of Moreham, for a year, from the death of the same dame Agnes Sinclair, to her daughter, dame Jane Hepburn, the Mistress of Cathness. [*Regist. of Signatures*, B. ii.]

[y] James could not have been born before the year 1530; supposing his father to have married, at the age of 17. Earl James was neither so young, as the late Lord Hailes supposed, nor so old, as the late Lord Elibank contended; as Earl Patrick was only born, in 1512. See the controversy, between the Lords Hailes, and Elibank. It was reported, in 1543, that Matthew, Earl of Lennox, and the Earl of Bothwell, were rival suitors, to the queen dowager, who was not pleased with such a report. Sadler's *Letters*, 333. Buchanan, with his accustomed falshood, attributes that rivality to James, Earl Bothwell, and not his father. If James, Earl Bothwell was born, in 1531, he was 25, in 1556; 35, in 1566; and 36, in 1567, when he ravished the Scotish queen.

not only large estates, but the hereditary offices of Lord High Admiral of Scotland, Sheriff of Berwick, Hadington, and Edinburgh, as well as Baillie of Lauderdale, with the Castles of Hales, and Crichton, for his fortlets: Earl James became thus, by descent, from his father, grandfather, and great grandfather, the most powerful noble, if we except the Duke of Chatelherault, in Southern Scotland. If we might believe Buchanan, young Bothwell was educated, in the corrupt house of his great uncle, the bishop of Murray, during an unprincipled, and turbulent age, when Buchanan himself acquired his tergiversation, his ingratitude, and his baseness[z].

James, Earl Bothwell, was, early, noticed, in public life[a]. On the 14th of December 1557, the Earl of Bothwell was one of the nobles, who signed the Commission, for effectuating the queen's marriage with the Dauphin[b]. He became the queen's Lieutenant, on the Borders, and *Keeper* of Hermitage Castle, in the subsequent year[c]. On the 29th of November 1558, as Sheriff of Edinburghshire, the Earl of Bothwell attended the Marshal, and Constable, in opening the Parliament; wherein he sat; as we

---

[z] See Buchanan's *Detection*, one of the corruptest of books; and Lord Hailes's *Remarks*, one of the slightest.

[a] In the Treasurer's accounts, there is a payment of 22*l*6 to Alexander Cuming, in January 1548-9; to execute a charge upon the Lord Borthwick, and *the Master of Hales;* Earl Patrick being then alive. The following entry in the Privy Council Register, of date the 28th of February 1548-9, will explain the obscurity of that charge: "In presence of the Council, John Lord Borthwick took upon him the keeping of *the fortalice of Hales;* and obliged himself to keep the same, surely, from our *auld enemies of England,* and all others; and should not deliver the same to Patrick, Earl of Bothwell, or any, in his name, under the pain of 10,000*l.*" The dowager-queen had, also, obtained a grant of Earl Patrick's property, then pertaining to the queen, by his treason. *Privy Seal Reg.* 26th Jan. 1547-8. On the 14th of March 1556-7, he obtained a royal grant of his grandmother's property. *Id.* On the 5th of January 1557-8, he was, by the regent-queen, constituted the queen's Baillie, of the Lordship of Liddisdale, for a year, and during the queen's pleasure. [*Id.*]

[b] *Acta Parl.* of that date.

[c] He was paid 23*l.* a month as keeper of that Castle. *Treasurer's Accounts.*

may learn, from the Parliamentary Record. His first military exploit was a successful inroad into England, as the Lieutenant, in 1558, during the war, which was ended, by the peace of Cambray [d]. James, Earl Bothwell, thus set out, in early life, as an enemy of the English Government, and as an antagonist of the English faction, in Scotland, after the accession of Elizabeth, in 1558. As Lieutenant of the Regent-queen, at the epoch of the peace of Cambray, in April 1559, he met the Earl of Northumberland, to settle the mutual differences, of the conterminous nations [e]. In August 1559, the Earl of Bothwell with Sir Richard Maitland, and Sir Walter Ker, were appointed Commissioners, for settling the differences on the southern borders, with the English Wardens [f]. But, neither the treaty of Cambray, nor any other treaty, brought peace to Scotland, while Elizabeth reigned, in England: She encouraged a faction to resist the government, and to establish pretensions, which were inconsistent with the quiet of the country, and with the sovereignty of Scotland. In resisting that faction, the regent-queen, employed the Earl of Bothwell: As Sheriff of the county, Bothwell, in October 1559, arrested John Cockburn of Ormiston, who was conveying 4000 crowns, for the faction, from Elizabeth, as her fuel, for inflaming the contentions of her neighbour-kingdom [g]: The insurgent chiefs, severely, felt, that timeful blow, which they never forgot, nor forgave. The Earl of Arran, and the Lord James Steuart, immediately, attacked Bothwell's Castle of Crichton, which they easily took; as he had retired, with the money, which was, at that moment, of great importance to all parties [h]. The success of Bothwell induced the regent-queen, in December 1559, to intrust him with the command, of 800 French, and Scotish troops, who were then sent, from Edinburgh, to Stirling [i]. In May 1560, while two armies

[d] Holinshed, i. 363.
[e] Keith's *App.* 89.
[f] Sadler's *St. Pap.* i. 407-8.
[g] Keith's *App.* 43.
[h] Keith, 43. and the *State Papers.*
[i] Sadler's *St. Pap.* i. 667.

were contending with the usual rage of civil war, Bothwell was sent, by the regent-queen, to solicit aid, from France[k]. But, she lived not to receive either assistance, or consolation, in consequence of his representations; as she died, on the 10th of June 1560, after a long indisposition, amidst the distractions, arising from persons, and circumstances, which she could neither counteract, nor controul[l]. On her decease, the government of Scotland was assumed, though without authority, by the Duke of Chatelherault, whowas prompted, and supported, by Elizabeth. Bothwell was well received, by the French Court, and closely watched,

---

[k] There still remains, in the Register Office, at Edinburgh, an original letter, from Earl James, to the Queen-regent, which, as a curious remain of such a man, is here subjoined:—

"Pleisit your hines be remẽbrit I vrait onto your Grace of bifoir conserning my deperting towirt our soverans in Frans quhilk your G. thocht gud // quhairfor I haue sensyn preparit me for y^e^ samin and hes bein in redines yir four or fyf dais paist lyk as I am yit auatant on your G. depech alennerlie for I haue meād ye griter haist to ye ffec I may return agane vith ye arme and haue sũ charg yairintill be your G. vrytings sic as our said soverans and your hines thinkis me maist abill for // yat I may be at all tymis in ye roum quhair service occurris // sen I haue nocht the cõmodite yairto at yis present nor hasle apirans yairof vithout ye samin // desyrand your G. maist humilie yairfor to forthir ye said vrytings for ye causs forsaid // and gyif yair be ony uthir thing it vill pleis your G. to cõmand I sall do my deligens to parfurm ye samyn my maist humill comẽdatiouns of service being maid onto your hinis cõmittis your G. in ye keiping of Almichti Gode. At Crichtun ye xv day of May 1560.

"your G. maist humill and obedient servitour

"To the Quenis Grace." "BOITHUILL."

[l] In the Treasurer's Accounts of 1560, there are the following charges:—

Paid to John Weir, pewtherer, for a wobe (webb) of leid, to be an sepulture to inclose the queen's grace in	£4	15	0
To the said John, for sowdene of the said weobe of leid	1	12	0
For 2 hundred dur nalis to the queen's grace's sepulture	0	3	0
For xxi elns and an half of black gray, to hing the Chapel of the Castle of Edinburgh, the queen's grace's body lyand therein	6	2	4

The queen-regent, after awhile, was carried to France, where she was buried among her ancestors.

by the English Ambassador [m]. He set out, from Paris, rather unexpectedly, in November 1560, by the way of Flanders, for Scotland [n]. His speedy departure was owing to a cause, which escaped the eagle eyes of Throckmorton, then, and the heedless observation, of the Scotish historians, since: Mary, on that occasion, sent four Commissioners to Edinburgh with two Commissions; in order to establish a sort of provisional government, in the room of her mother's regency. One of those commissions empowered the Duke, the Earl of Argyle, the Earl of Huntley, the Earl of Bothwell, the Earl of Athol, the Lord James, the Archbishop of St. Andrews, or any three of them, to assemble the Estates, and hold a Parliament [o]. It may easily be perceived, that such discordant

---

[m] Hardwick's *St. Papers*, i. 143: Bothwell had a present of six hundred crowns; and was made Gentleman of the King's Bedchamber, with the fee belonging thereto. *Id.*

[n] *Ib.* 149: Throckmorton, Elizabeth's representative, at Paris, described Bothwell, in November 1560, "as a vainglorious, rash, and hazardous *young man*; and therefore, it were meet," he added, "for his adversaries to have an eye to him, and also to keep him short." *Id.* There has been some debate, about the *age* of James, Earl Bothwell. "When we say a man is *young*, we mean, according to *Locke*, that his age is yet a small part of that, which men, usually, attain to." The pranks, which he played, a twelvemonth after, with the French princes, in the disorderly houses of Edinburgh, to the scandal of the Puritans, imply that, he was yet *young*. He was about ten years older than queen Mary, and of the same age, as her bastard brother, the Lord James, who was born, in March 1530-1. If Bothwell, then, was born, in 1531, he was 29, at the epoch of that letter, from Throckmorton, in November 1560.

[o] The four Commissioners, who were sent over, by Mary, to manage her affairs, in the meantime, were the Laird of Craigmillar, Ogilvie of Findlater, who afterwards acted as the Comptroller of her household, Robert Leslie, and John Lumisden. But, none of those measures took effect; as they were not approved, by the Duke, Lord James, and the other popular leaders. They arrived, at Edinburgh, before the first week of February 1560-1, when Secretary Maitland, wormed himself into their confidence; learned from them their objects; obtained a copy of their instructions; and sent them, with the *Estate* of Scotland, to Mr. Secretary Cecil. The whole of those documents are in the Paper Office: No. 11 of the *New Series of Bundles*. Thus early did Secretary Maitland begin to betray his queen, and country, to Elizabeth.

characters, or any three of them, could not act, amicably, together. When the notorious Randolph, Elizabeth's agent, who, for some time, had lurked about the petty court of the Duke, at Hamilton, gave an account to Secretary Cecil, of Bothwell' arrival, at Edinburgh, he said, he could not foresee, how Bothwell, and Arran, would settle their accounts, with an allusion to the interception of Cockburn, with the crowns of Elizabeth [p].

While the men of Scotland remained, in a state of uncertainty, as to the course, which the widowed queen would pursue, Bothwell, and Arran, probably, kept out of one another's way. Bothwell, easily, perceived, that he could not serve the queen, under existing circumstances, and that he could not remain, safely, in Scotland: Thus was he induced to retire to France, where he acted, in the queen's service, till her return, in August 1561, to her native kingdom, which was then governed, by the usurped authority of *the duke*, and *the prior* [q].

The queen, on her arrival, appointed her bastard brother, the Lord James, for her Minister, though he had been the chief usurper. His followers were of course the Officers of State. Yet, when she settled her Privy Council, on the 6th of September, Bothwell was appointed a member, though he was not then pre-

[p] Hardwick's *St. Papers*. The Earl of Arran, the duke's eldest son, had been brought from France, and smuggled, into Scotland, through the impervious borders into Lanarkshire, during the preceding year, by Cecil, who supplied him, with money, and, what was of more importance to Arran, with recommendations. A very long letter, from Randolph, and a dispatch, from Secretary Maitland, early in February 1560-1, gave the English Secretary a complete view of Mary's affairs, in Scotland, at that distracted period. [*Paper Office.*] Cecil was thus induced to write the memorial of the 20th of March 1560-1, for Randolph's instruction, which Keith copied into his History, p. 158-9. The historian, mistakingly, supposed, that Randolph was then dispatched into Scotland: But, Sadler's letters evince that, under various names, Randolph had long lurked, in that distracted nation, as Elizabeth's corrupt agent, and resided, chiefly, at Hamilton, near the *duke's court*.

[q] Keith, 388: The name of Bothwell does not, as we might easily suppose, appear among those nobles, to whom the ruling junto sent letters to appear, at Edinburgh, on the 31st of August, to receive the queen. *Treasurer's Books*, 7-8 August 1561.

sent[r]. On the 11th of November 1561, measures were adopted, for preserving the quiet of the country: Bothwell was, by the queen, induced to engage not to injure Lord Seaton, and Lord Seaton promised not to injure Earl Bothwell: James, the Commendator of St. Andrews and Pittenweem, and Cockburn of Ormiston, were obliged to engage to keep the peace towards Earl Bothwell, and he was equally obliged to promise not to injure them[s]: Yet, was the enmity of the Commendator to the Earl implacable, though the appearance of reconcilement was sometimes affected.

The new year opened with some softer scenes. On Sunday, the 11th of January 1561-2, the Lord John, another bastard brother of the queen, the Commendator of Coldingham, married Jane, the sister of Bothwell, at Crichton-castle, the queen being present; and much good sport, and many pastimes, there were, said Randolph to Cecil. Yet, such was the turbulence of late times, that the queen was induced, to use every proper art, to preserve the peace: On the 20th of February 1561-2, she obliged Bothwell, and Arran, to enter into engagements *to keep the peace*, though Arran acted, with a very ill grace[t]. Arran indulged his habitual passions, till turbulence ended in insanity. At the end of March 1562, he accused Bothwell of conspiring with himself, and his relation Gawin Hamilton, the Commendator of Kilwinning, to carry off the queen to Dumbarton-castle, and to kill her chief ministers. On this frantic charge, Bothwell, and Hamilton, were

---

[r] *Privy Council Reg.* He was present, however, on the 13th of October. *Id.*

[s] *Id.*—Yet, in March 1562, Bothwell beset Cockburn of Ormistown, his wife and son, while hunting: and having carried the boy towards Crichton-castle, the country people rescued him. This, said Randolph to Cecil, gave great offence to the queen, and her council: It is but a small mitigation of this outrage, that the period, for which Bothwell was to keep the peace, had expired.

[t] *Id.* Randolph, on that occasion, wrote to Cecil, "that there was much ado to agree Arran, and Bothwell; and that Arran showed a refractory spirit, and obstinately resisted the endeavours of the queen, and council, to produce peace." *Dispatches* in the Paper Office, 28th Feb. to 31st March 1561-2.

imprisoned. Examinations before the queen, and her council, immediately took place, at St. Andrews: And the insanity of Arran soon appeared to all dispassionate persons, from his affirming, and disavowing, from his prevarication, and raving[u]. Yet, did the queen's minister, who had been created Earl of Mar, and ceased to be Commendator, pursue this affair, with great eagerness, from his enmity to Bothwell, who was continued in prison, by the guilty influence of Mar, though Bothwell demanded a trial. After remaining six weeks a prisoner, in the Castle of St. Andrews; Bothwell was removed to the Castle of Edinburgh; whence, he escaped, on the 28th of August 1562. Bothwell now retired to the Castle of Hermitage, in Liddisdale, where he remained, till the ruin of Huntley gave him intimations, that he was no longer safe, in Scotland: He now took shipping from North Berwick; but the vessel being driven into Holy Island, he was arrested, by Elizabeth's officers[x]. If it were asked, by what authority a Peer, and Privy Counsellor of Scotland, who was driven, by stress of weather into Holy Island, was detained, in the time of peace, and sent prisoner to London; the answer must be, the spleen of Elizabeth, the enmity of Randolph, and the hatred of Mar. In London, was he detained, by those guilty passions, for more than a twelvemonth. At length, Mary, in January 1563-4, at the urgent

[u] Randolph stated to Cecil, "that there appeared little of such an attempt; that there was not sufficient evidence, to criminate Bothwell; and that Arran did not abide, by his accusation, but rather denied the whole, to the great misliking of all men, who see his manner of dealing." *Dispatches* in the Paper Office, from the 9th to the 25th of April, 1562.

[x] Randolph wrote to Cecil from Edinburgh, on the 22d of January 1562-3: "As soon as I learned, that the ship, in which Bothwell had departed, was arrived at Holy Island, I, by the advice of Murray, and Maitland, wrote the queen's officers, at Berwick to have him seized, which was done: I have intimated this to the Scotish queen, who desired to have him sent to Scotland." Randolph added, "that Murray, Argyle, Maitland, and others, intrigued with him, to have Bothwell detained, in England, of *which he was a determined enemy.*" [*Dispatches in the Paper Office.*] In the same Office, there is a formal warrant of queen Elizabeth, dated the 18th of March 1562-3; requiring her officers to bring Bothwell to London.

solicitation of Bothwell's mother, and his other relations, requested her good sister of England, that he might be permitted to go into foreign parts: This request was now complied with; as his detention could not be justified, by any allowed principle of any law.

Meantime, as soon as it was known, that Bothwell had fled, from Hermitage-castle, a herald was sent, to demand the possession of this strong hold, for the queen's service[y]. It was delivered to the charge of Robert Elliot, as Deputy Keeper of Liddisdale, for the queen, at a salary of 100 marks, with possession of the domains[z]. This Castle seems to have been the queen's, whereof Bothwell was only the keeper.

But, so restless a man, could not be quiet, in France; where, he threw out menaces both against Elizabeth, and Mary, and their several ministers: At length, he requested either liberty to return home, or to have means to live abroad[a]. Bothwell returned to Scotland, in March 1564-5. He, naturally, visited his mother; he appeared in various places: But, he could find safety nowhere. He was watched, by the English Wardens, on the borders; and he was eagerly pursued, by Murray, whom he had grievously offended, by opprobrious words, which he was said to have spoken, in France[b]. Bothwell still remained, in Hermitage-castle, at the

[y] Randolph's letter to Cecil, of the 20th December 1562.

[z] *Privy Council Reg.* of date the 18th of June 1563. William Douglas of Cavers became security, that Elliot would act, honestly, and redeliver the Castle, when so required.

[a] Randolph wrote to Cecil on the 4th of March 1564-5: "They (the Scots ministers of State) think him worthy of no favour that conspired to kill the queen, and those in credit about her." This intimation plainly alluded to the groundless accusation of the frantic Arran. Randolph again wrote to Cecil, on the 15th of March: "The queen [Mary] misliketh Bothwell's coming home; and hath summoned him to undergo the law, or be proclaimed a rebel: He is charged to have spoken dishonourably of the queen, and threatened to kill Murray, and Maitland: David Pringle, one of Bothwell's servants, will verify it." Keith, 279.

[b] Bedford's MS. correspondence with Cecil, in the Paper Office. On the 23d of March 1564-5, Bedford, the Governor of Berwick, asked Cecil, to tell him the queen's pleasure, touching Bothwell, if he should come within his charge; for except,

end of March 1565, where he had a great following of Liddisdale men. But, by the queen's direction, he was obliged to engage, that he would appear before the Justice-court, on the 4th of May, then next. Argyle, the Justiciary, and Murray, the Minister, came into Edinburgh, about the 1st of May 1565, at the head of five thousand men, to hold the *Justice-court*, where Bothwell was to be tried, for his misdemeanors. Bothwell, however, declined to meet such foes, and such a force[c]. As he now saw, that he had few friends, many enemies, with two governments, to pursue him, Bothwell embarked at North Berwick, for foreign parts, at the end of April 1565[d]. As Bedford, and Randolph, had thus

---

he were otherwise commanded, he meant to stay him, *being so required to do by the Court of Scotland.* [*Id.*] Bedford even supposed Bothwell to be *comforted,* by the Scotish queen, as he informed Cecil. [*Id.*] And, yet, on the 30th of the same month of March, Randolph wrote to Cecil, that *Bothwell hath grievously offended the Queen of Scots,* by words spoken against the English queen, and also against herself; calling *her the Cardinal's hoore;* and *she hath sworn to me upon her honour, that he shall never receive favour at her hands.*" [*Id.*] Cardinal Beaton, we may remember, was assassinated, on the 29th of May 1546, when Mary was, scarcely, four years old. In the scandalous Chronicle of the pious Knox, the queen, as we may recollect, was said to be *the Cardinal's child*; and Randolph must have misunderstood the scurrility of Bothwell's tongue: We may perceive, however, how gross were the manners of that reformed age, among a coarse people, and unmannered nobles.

[c] Randolph's correspondence with Cecil, in the Paper Office. According to Randolph's representation, there would have been a larger army, in Edinburgh, on that *law-day,* if the queen had not objected to the bringing of so many undisciplined men into her presence,—and Bothwell's forfeiture, would have been greater, if the queen had not interposed. [*Id.*] Argyle, and Murray, had an interest, in pursuing Bothwell, to a complete forfeiture; as they would have divided his estates, and offices, between them: But, the queen had no such interest, and felt no such enmity, whatever she may have sworn upon her honour to Randolph: Argyle had married the bastard sister of Murray; and she received from Mary a pension, as her bastard sister, as we learn from the Treasurer's books. It was plainly the object of Murray, to ruin every noble, who obstructed his views, as he had ruined Huntley, and Sutherland.

[d] Randolph's correspondence with Cecil, in the Paper Office.

obtained their several ends, by the expulsion of Bothwell, their pens, for some months, do not mention the man, whom they hated, and maligned[e].

A new scene of trouble was now ready to open. The queen, according to her duty, had resolved to marry. Her purpose was opposed, by the Duke of Chatelherault, her presumptive heir, and by Murray, her bastard brother, who had long had his head, and heart, and hand, upon her sceptre; and by all, who were connected with them, in interest, or in faction. They carried their opposition, under the encouragement of Elizabeth, the full length of rebellion. And yet, the queen married her cousin, Darnley, to whom there could be no political objection, on the 29th of July 1565[f]. The queen now found it necessary, as her mother had equally done, to conciliate many friends, for her support against Elizabeth, and Cecil, Chatelherault, and Murray, while Morton, and Maitland, remained, in her councils, to betray her[g]. The popularity, which attended the queen's marriage, seems to have crushed the rebellion, and to have expelled the rebellious chiefs[h].

---

[e] Randolph, indeed, wrote to Cecil, on the 4th of July 1565; "It is said, that the *Earl of Bothwell*, and Lord Seton, are sent for, which hath the appearance of truth; as they are fit men, to serve, in this world: It is wished, if they do arrive, in England, that they may be put in good surety, for a time." Keith, 295: But, Murray had now left the court; and was preparing, for rebellion, under Elizabeth's incitements, against Mary's marriage.

[f] Birrel's *Diary*.

[g] On the 5th of August 1565, the Earls of *Bothwell*, and Sutherlend, were allowed to return home. Keith, 310: On the 5th a remission was granted to Bothwell, "for his breaking ward out of the Castle of Edinburgh, without license." [*Privy Seal Reg.*] On the 6th of August, the Earl of Murray was denounced a rebel, and driven into England.

[h] Randolph wrote to Cecil, on the 8th of October 1565: This day, the queen hath marched to Dumfries: Huntley, and *Bothwell*, are the new counsellors. [Keith, *App.* 165.] On the 10th of the same month, Bothwell was present in Council, at Castle-hill, on the road to Dumfries; And, he was one of the leaders of the army, under Darnley, the king; the queen being present. [*Ib.* 115.]

If we might credit a corrupt agent, we ought to believe, that *jars* soon arose, between the queen, and Darnley[i]. Bothwell, in proportion to his natural power, from his possessions, and offices, which he held, from descent, hereditarily, and to his recent services, when so many of the nobles were in a state of revolt, acquired some credit with the queen, and Darnley. He attended the public councils, wherein were so many counsellors, to betray them; and he was employed as a Commissioner, on the Borders, to settle never-ending disputes, among rugged men, being Lieutenant of the Marches, with England. As early as October 1565, Randolph wrote to Cecil, in his usual style, of insidious sarcasm, "My Lord Bothwell, for *his great virtue*, doth now all, next to the Earl of Athole." The English Agent ought to have excepted, also, the Earl of Morton, and Secretary Maitland, who, *virtuously*, remained, as he had lately said to Cecil, with the queen, watching every occasion, to betray her into the rebels' fangs, and Elizabeth's prison[j].

---

[i] On the 10th of the same October, Randolph wrote to Cecil that, "*Jars* have already risen, between the queen and Darnley; she to have her will one way; and he another: He to have his father, for Lieutenant General; and *she* to have *Bothwell*." [*MS. Correspondence* in the Paper Office.] The fact is, that they were both Lieutenant Generals; Lennox, in the West; and Bothwell, in the South, where his estates, and interests, lay. On the 22d of the same month, at Edinburgh, the king, and queen, issued a charge to the Wardens of the Marches, to prevent the emissaries of the rebels, who had fled into England, from disturbing the borders: And, they commanded the Earl of Bothwell, *Lieutenant General of all the Marches*, to see their orders fulfilled. [Keith's *App.* 116.] Bothwell then lay, with a force, on the West Borders. Meantime, the English Wardens seem to have gained the Lidisdale men. [*Ib.* 165, Correspondence in the Paper Office.]

[j] On the 29th of January 1565-6, Randolph wrote to Cecil: "The Scotish queen hath appointed the Earl of Bothwell, and the Laird of Cessford (the Warden of the Middle Marches) to meet the Earl of Bedford, and Sir John Forster, to settle the matters in debate, between the two realms: I told the Scotish queen, that Bothwell was *a person hated by the English queen*; and known not to incline to peace; so that if bad consequences followed, she had herself only to blame: She answered, that she could also make exceptions against Bedford; and so would not name another person, in the place of Bothwell." [Keith's *App.* 166.] Bothwell, and Kerr, could not be

The reprobated Bothwell, meantime, sought some solace, from softer scenes: At the prudent age of thirty-five, he married the Lady Jane Gordon, the excellent sister of the Earl of Huntley, and the *fourth* cousin of Bothwell himself, in the Chapel of Holyrood-house, on the 22d of February 1565-6; but, refusing, as we are told, the queen's request, to be married, in the Roman Catholic manner, though the lady was of that persuasion. The king, and queen, made the banquet, the first day; and the feasting continued five days, with justing, and tournaments; at which were made six knights of Fife[k]. This marriage, though the nuptial benediction had been given, by the lady's uncle, Gordon, the bishop of Galloway, who had renounced the ancient faith, was neither fruitful, nor fortunate.

We are now arrived at the epoch of one of the most extraordinary deeds, which is not outdone in atrocity, by any event, in the history of man, during the corruptest ages. It was the assassination of Rizzio, the queen's private Secretary, in her own presence, on the 9th of March 1565-6. As this atrocious deed was perpetrated by a conspiracy of her own ministers, in concert with Elizabeth, the Scotish queen was completely surprised. The Lord Chancellor, Morton, with an armed force, attacked the queen's palace, at Edinburgh, she being then within it, and far advanced, in a pregnant state; her husband, with the crown matrimonial, on his head, conducted the assassins, by private passages, into the queen's closet, who was sitting at supper, with her sister, the Countess of Argyle. Huntley, Bothwell, Sutherland, and others,

---

more corrupt, and insidious, than Bedford, and Forster; as their correspondence with Cecil evinces; and their actions on the Borders demonstrate. On the 8th of February following, Bedford wrote to Cecil that, "He despairs of Justice on the Borders, while Bothwell is Warden, [Lieutenant] who neither fears God, nor loves justice." On the 6th of April 1565, Bedford had already written to Cecil: "I assure you, Bothwell is as naughty a man, as liveth, and much given to the most detestable vices." [*Correspondence* in the Paper Office.]

[k] Pitscattie, 217. The marriage contract, which was dated on the 9th of February 1565-6, is recorded in the *Privy Seal Reg.* xxx. fol. 8.

attempted, resolutely, to resist Morton; but, they were overpowered, and obliged to save themselves by flight. The Secretary of State, the able, but insidious Maitland, entertained below, the Earl of Athole; forgetting to reveal to the queen what he knew of that odious deed. This great conspiracy had for its treasonous objects the prorogation of Parliament, which would have attainted the late rebels, and prevented the pardon of Murray, with his traitorous friends, who were then harboured, by Elizabeth, the queen's virtuous cousin of England: And it completely answered both those ends, though; by the commission of such mighty crimes, it appeared, that there were other *naughty men*, in Scotland, besides the *naughty* Bothwell. The queen, by great efforts of address, and resolution, persuaded her guilty husband, to flee with her, from so terrible a scene, to Dunbar-castle, where she was safe, from Morton's violence, Maitland's perfidy, and Ruthven's venom. Athole and Fleming, Livingston, and others, who were then present in Holyrood-house, unconscious of the approach of such a storm, hardly escaped, from the spears of the conspirators. Huntley, and Bothwell, who assisted the queen's escape, accompanied her to the same fortlet; where she was joined, by so many considerable men, with their forces, that she marched back to Edinburgh, on the 18th of March, in triumphant array. The friends of the conspirators now fled, in their turn, from that turbulent city, which, under the Provost's influence, had aided the conspirators[1]. Morton, Ruthven, and other traitors, found their safest shelter under Elizabeth's wings. Bothwell, on that emergency, had acted so faithfully, when the officers of State had acted so knavishly, that Preston, the Provost of Edinburgh, and Keeper of Dunbar-castle, was deprived: And Bothwell, who had merited reward, was on the 24th of March 1565-6, appointed Governor, in his room. As Dunbar-castle lay contiguous to his

[1] Simon Preston, the Laird of Craigmillar, who had married the daughter of Monteith of Kers, and the sister of the Secretary's wife. [Haynes, 359.] The Provost acted under the Secretary's influence, who was the contriver of the conspiracy.

estates, and those of his friends, with the lands appropriated for its support[m]; these grants were of great importance to Bothwell.

Considering the advanced condition of Mary's pregnancy, she followed the advice, which was insidiously given her, of retiring into Edinburgh-castle, as the safest place, for a pregnant queen, during such a state of treacherous society. And, wishing for a few moments of quiet, after such a shock, she endeavoured to promote general amity[n]. She again took Darnley to her bosom, who avowed his penitence. She sent for Argyle, and Murray, whom she tried to reconcile to Huntley, and Bothwell. Her two brothers Argyle, and Murray, soon acquired their wonted sway over her spirit, and with it the governance of the Castle[o]. Huntley, and Bothwell, applied for permission to lodge, in the Castle; but were positively refused[p]: And Bothwell was soon after sent to

---

[m] *Privy Seal Reg.* xxxv. fol. 4. This charge, and lands, had been held, by Bothwell's brother-in-law, the Lord John, who died at the end of 1563: The trust of keeping this Castle was thereupon given to Simon Preston, the faithless brother of the Secretary, who held it, at the epoch of Murray's rebellion; when he represented the insufficient equipment of that important strong hold. [*Privy Council Reg.* 24th of August 1565.]

[n] The above advice had proceeded from the joint artifices of Cecil, and Murray, who supposed, that it was more than probable Mary would never rise from her child-bed; considering recent events.

[o] Argyle married Mary's bastard sister, and Murray was her bastard brother.

[p] There remains, in the Paper Office, a long letter from Randolph to Cecil, of the 7th of June 1566, only a dozen days before the accouchement of Mary, which contains many curious particulars: Argyle still solicited for the earl of Morton and his friends, without success: Lethington was ordered to ward himself, in Caithness: The Clerk Register was charged to remain beyond the Tay: The fate of others of Murrays friends was postponed, "till it be known *what shall become of the queen, in the time of her travel*;" and Randolph remained, by order, at Berwick, till that event took place. The queen made her will. The queen's husband is recovered; and these two are reconciled: The earls of Argyle, and Murray, lodge in the Castle, and keep house together. The *earls of Huntley, and Bothwell, wished, also, to have lodged there; but were refused.* The bishop of Ross hath now the chief management of affairs: The parson of Freisk (Sir J. Balfour) is not so far in credit, as he hath been. At such a moment, the foregoing particulars are very curious, and im-

the Borders, as Lieutenant, to preserve order, and to watch the motions of Morton. Had any accident happened to Mary, during her accouchement, as had been looked for, with willing eyes, Murray, in the absence of the legal heir, would have retained the castle, and with it the sovereignty of the kingdom: With a view to such an event, Huntley, and Bothwell, were kept out of the Castle, as lodgers.

Yet, was it about that time, or rather earlier, that Robertson assures us, a new favourite grew into great credit with the queen, and soon gained an ascendant over her heart, which encouraged his enterprising genius, to form designs, which proved fatal to himself, and the occasion of all Mary's subsequent misfortunes: This was James Earl of Bothwell, continues the historian, whom her gratitude loaded with marks of her bounty; she raised him to offices of profit, and of trust, and transacted no matter of importance, without his advice[q]. Thus ignorant was Robertson of the historical circumstances of that period, and even of the various influences of Murray, and of Bothwell, who enjoyed those offices, hereditarily.

Whatever forebodings there may have been of Mary's miscarriage, or other misfortune, she was safely delivered of a son, on the 19th of June 1566. The month of her confinement expired, on

portant. Randolph added: "The earl of Bothwell hath *the whole inheritance of Dunbar*, given unto him; but, the Castle is reserved to the queen." Yet, we have just seen, from the Privy Seal Record, that he was only made keeper of the Castle, with the use of the Castle lands: We may thus see how calumny was then propagated.

[q] *Hist. Scot.* i. 382: For that absurd narrative, he quotes those interpolated books, Melvill's *Mem.* 133; and Knox, 396. While the historian makes Bothwell gain an *ascendency over the heart of Mary*, Bothwell had been married to Lady Jane Gordon only two months before, that is, on the 22d of February 1565-6; and the queen was now pregnant of a child six or seven months old. We have seen above, from Randolph's information to Cecil, that Murray had, at that time, the chief influence over the queen, with the possession of the Castle of Edinburgh, of which his uncle, the earl of Mar, was then Governor; and that Bothwell was even sent out of the way to the Borders, where he was lieutenant.

the 19th of the subsequent July: and, it was imagined, perhaps, by her physician, that a change of air would contribute greatly to re-establish her usual strength. As she could not ride, and had no wheel carriage, she went to Alloa-house, in a ship, along the Forth, accompanied, by Murray, by Mar, the lord of the mansion, by Bothwell, the Lord High Admiral, and by other courtiers; Darnley following, by land[r]. It was here, that she received into her presence, her Secretary Maitland, who was only another name, for talents, and treachery: And, he was the first of Rizzio's assassins, whom she forgave, at the instance of Athole, and Murray, though much against the opposition of Bothwell, and the inclination of Darnley[s].

The queen did not remain long at the hospitable seat of Alloa: The king departed, for Tweedale, to hunt, accompanied, by Huntley, Bothwell, Murray, and other courtiers. But, Darnley could

---

[r] Keith, 345. On the 29th of July 1566, there is, in the Treasurer's Accounts, a charge of ten shillings paid a boy, for carrying *close writings* to the queen, at Alloa. This shows, that she went earlier to Alloa, than Keith, and others, suppose. Buchanan, in his usual strain of deliberate falsification, says, the queen went thither, with *pirates*, that is, with the Lord Admiral and his men: And, she rejected Darnley: But, we have seen, in Randolph's Dispatch, to Cecil, that the queen and Darnley, were reconciled, in the Castle. The fact is, which ought never to be lost sight of, that Darnley, after the shocking scrape into which he had been led, by Murray, Morton, Maitland, and others, could not look into their treacherous faces; and of course, he could not go into a ship, with them, nor remain in a house, with them: He had not learned, *to smile, and smile, and be a villain*. These intimations explain much of poor Darnley's conduct, who was still very young, and still very inexperienced: And, the queen could not, easily, govern, without the aid of those odious men.

[s] On the 2d of August 1566, Bedford wrote, from Berwick, to Cecil: "Lethington, (Maitland's) peace is made with his sovereign: The Lords Maxwell, and Bothwell, are now enemies: Bothwell is, generally, hated; and is more insolent than ever Rizzio was." We thus see the prejudice of Bedford. On the 9th of August, Bedford again wrote to Cecil, "that Bothwell is still in favour, and has a great hand in the management of affairs." Keith *App.* 169. But, we have seen above, that Athole, and Murray, had much more influence, than Bothwell. What prejudice!

not forget the share, which he had, in the assassination of Rizzio; and the public contempt, constantly, remembered him of his shame; while the chief conspirators felt no compunction. From the amusements of Tweedale they all soon returned to public business, at Edinburgh.

As early, if not earlier, than the beginning of August, the queen, and her government, had determined, on holding Justice-ayres upon the English Borders, at Jedburg[t]: But, other avocations had prevented her, from going at that period, when the harvest approached[u]. Such were the considerations, which prevented that juridical excursion, till the first week of October, 1566.

Meantime, the wayward conduct of Darnley, not only gave great vexation to the queen, but still more offended the nobles. He even adopted the absurd purpose of emigration, without knowing whither to emigrate. And, coming to Edinburgh, at Michaelmass 1566, he was not easily persuaded, by the queen, to enter the palace; because the leading characters of the state were then within it. Murray, with the suggestions of Maitland, came to the resolution of taking off the object of their hatred. Murray, who knew perfectly the best mode of drawing men into his views, on that occasion, gained over Bothwell, who had his offences to avenge, into Murray's concert against the life of Darnley, who little knew his danger, when he was treading on a precipice[x]. The conspirators never lost sight of their murderous object, till its final accomplishment. The best commentary on

[t] On the 3d of August, indeed, Bedford gave notice to Cecil, from Berwick, that queen Mary meaneth, shortly, to go against Cessford, &c. and keep a Justice-court, at Jedburgh: Bothwell [the Lieutenant] shall come in, with forces. [Keith's *App.* 169.]

[u] On the 17th of September 1566, Bothwell was present in Council at Edinburgh. [*Ib.* 351.] He was there, also, present, in the Convention of Nobles, which gave a supply of 12,000*l.* money of Scotland, for defraying the expense of the prince's baptism. [*Ib.* 359.]

[x] Goodall, ii. 321.

this odious plot is the events, as they were produced, by the able management of great talents, when directed to the fulfilment of their designs.

Bothwell, who was now destined to act in concert with Murray, after all their enmities, taking his departure, for Liddisdale, on the 7th of October 1566, was wounded on the subsequent day, in a scuffle, with Elliot of Park[y]. The queen, and her court, set out, on the 8th of October, for Jedburgh. All but Darnley went on that necessary excursion to the South; but, he went to Glasgow, on a visit to his father. Bothwell, as the queen's lieutenant, had been sent forward to make preparations for the ensuing Ayres. But, the unruly clans of Liddisdale had been gained, by Forster, the English Warden: The Lieutenant of Mary was defied; and being fiercely attacked, was, severely, wounded in the hand. The queen, who, meantime, arrived at Jedburgh, and was occupied in superintending the Justice-court; when hearing of that outrage, rode to Hermitage-castle, on the 16th of October; to know the

[y] The following dates are quite sufficient to show the falshood of Buchanan, when he relates the wounding of Bothwell, and the queen's flight from Borthwick to Hermitage, to visit him: On the 6th of October 1566, Bothwell was present, in Council, at Edinburgh. [*Privy Council Reg.*] On the next day, he went to the Borders. On the 8th of October, he was wounded, said Birrel, by John Elliot, alias John of the Park, whose head was sent into Edinburgh, thereafter. On the 16th of October, eight days after the queen had arrived, at Jedburgh, she went to Hermitage-castle, distant twenty statute miles off, and returned the same evening. [*Privy Seal Reg.* xxxv. 77.] On the 17th of October 1566, the queen was taken ill; and remained, in great danger, during several days. On the 24th of October, Bothwell removed, from Hermitage-castle, to Jedburgh. There were several intimations, throughout the previous months, of a purpose to assassinate Bothwell. It was stated, in a letter, from Alnwick, on the 3d of April, 1566, that one of Bothwell's servants confessed the purpose of himself, and four more of Bothwell's servants, to murder their master; and that Secretary Maitland had engaged them in that fell design. The other servants being examined, also, confessed the same purpose. [Keith's *App.* 167.] Of all these machinations the queen, no doubt, had intimations, and wished to know the truth.

truth of what she heard, both of that attack, and those threats on Bothwell's life: And, returning the same evening, she was taken ill, on the subsequent day, with a fever, which endangered her life: Yet; was she all unconscious, that Bothwell was now gained, by Murray, to his conspiracy, which was destined to involve her in ruin. The queen's youth, and constitution saved her, while her physician, Nawe, was praised, for his skill, and his assiduity.

The queen, and her court, and her judges, remained, at Jedburgh from the 9th of October, to the 8th of November. They remained, performing the same duties, at Kelso, during the 9th, and 10th of the same month; they departed, on the 11th of November, on a tour along the Tweed, attended by Bothwell[z], the High Sheriff of the Southern Shires: After seeing Werk-castle, and Berwick-upon-Tweed, the queen, and her court, did not arrive at Dumbar-castle, of which Bothwell was keeper, till the 17th of the same month: Here, the queen, and her ministers, remained till the 23d of November, when they removed to Craigmillar-castle; all but Secretary Maitland, who went to Whittingham, which will be remembered, as the scene of guilty intrigues.

It was, in Craigmillar-castle, early in December 1566, before the baptism of the queen's son, that Maitland, and Murray, proposed to the queen a divorce, from her husband: It was, on that occasion, that Bothwell seconded that proposal; and thereby showed, that he was now acting, with Murray, and Maitland, as a conspirator against Darnley, and the queen, dazzled, no doubt, by their plausible plot, how easy it would be to obtain, with their guilty assistance, the queen's marriage, with her authority, in the state. It is, from this period, then, when this conspiracy was detailed, and matured, that we must trace the life of Bothwell, as a

[z] On the 27th of October 1566, the Bishop of Ross wrote from Jedburgh to the queen's Ambassador, at Paris: "My Lord Bothwell is here, who convalesces well of his wounds." [Keith's *App.* 136.] He, probably, arrived at Jedburgh, on the 24th of October, as he was, certainly, present, in Council, on the subsequent day. [Keith, 352.]

conspirator; acting with Maitland, and Murray, and Morton, with a constant view to those abominable objects[a].

Soon after the queen's rejection of the proposed divorce, and the formation of the conspiracy, she departed, from that guilty castle, for Stirling, in order to make preparations for her son's baptism, on the 15th of December 1566. She was too much occupied with other thoughts, to trouble herself, according to Buchanan's falsehood, to prevent Darnley from having clothes, or to contribute finery to Bothwell. If Bothwell went to the baptism, his mind was too much occupied, with the pardon of Morton, and the murder of Darnley, to think of *finery*, which, with such a man, on such an occasion, was not an object. It is not true, as Robertson suggests, that Bothwell obtained, by his influence, from the queen's disinclination, the pardon of Morton: For, it required the concurrence of Elizabeth, Cecil, Bedford; Murray, Athol, Bothwell,

[a] It may be proper, to state for the information of those, who may not be completely acquainted with this interesting subject: (1) The Protestation of Huntley, and Argyle, gives a clear, and full detail of that conspiracy. [Goodall, ii. 317.] Doctor Robertson tries, in vain, to enfeeble the force, and the inferences of that detail. But, Cecil considered the *Protestation* of Huntley, and Argyle, as a genuine document. And the laxity of Murray's answer, only, establishes the truth of the facts. (2) The same detail was given, and the same inferences drawn, by the instructions, from the numerous convention of earls, lords, bishops, and abbots, which was held, at Dunbarton, in September 1568. [*Ib.* 359.] (3) Archibald Douglas was sent, by the conspirators, to inform Morton, who then lay at Newcastle, of the conspiracy, and to ask his assent, and aid. (4) The interposition of Bothwell, at Craigmillar, when the queen refused Maitland's proposal of a divorce; by saying that he had succeeded to his father, though his mother had been divorced from him; evinces his guilty concernment, in that conspiracy. (5) Bothwell, also, interposed his influence, whatever it were, to induce the queen, to pardon Morton, at Christmas 1566. (6) The journey of Maitland, and Bothwell, to meet Morton, at Whittingham, to obtain his decided concurrence with the conspirators, is a clear proof of the conspiracy. (7) The conviction, and confession, of Morton, and Maitland, of their knowledge of the objects of the conspiracy, and the death of Darnley, are the records of their guilt. (Lastly.) It is impossible to deny, or doubt, those facts, and circumstances, which evince the existence of such a conspiracy, with such objects; and that Bothwell did not act, by himself, but in concert, for Murray's interest, more than his own.

Maitland, and of others, to obtain the remission of Morton, and his friends; as we know from Bedford's dispatch to Cecil. The pardon of Morton had the effect, probably, of inducing Darnley, in his state of mind, to seek repose with his father, at Glasgow, where he was, immediately, taken with the small-pox, which there prevailed. Mary tried to refresh her exhausted spirits, by visiting the nobles, around Stirling. Murray carried Bedford to St Andrews, where he feasted him, for some days, in rejoicing for Morton's reestablishment, in Scotland[b]. Bothwell, and Maitland, employed themselves, in intriguing with Morton, and perhaps in gaining others to their views, and objects. The meeting of Bothwell, and Maitland, with Morton, at Whittingham, about the 20th of January 1566-7, is decisive proof of a conspiracy, to murder Darnley: Their subsequent convictions, for the fact, is the record of their guilt. This concert, at Whittingham, proves, also, another point of great importance, that Bothwell had not any of the queen's writings, expressive of her assent, either to Darnley's death, or of her attachment to Bothwell.

We may perceive, at once, the depth of Morton's mind, and the shallowness of Bothwell's, in the ardour, with which Morton desired, to see some writing of the queen, expressive of her desire to have Darnley taken off, which Bothwell asserted: But, when we perceive, even within a few days of Darnley's death, that Bothwell, could not show to Morton any writing, or any word, of the queen, to that effect, we thereby discern her innocence, and his guilt. Morton now made answer, according to his own confession:

[b] Morton was still, in England, on the 10th of January 1566-7; whence, he wrote a letter of warm thanks to Cecil, for his protection; and offered his best services in Scotland, to the English Secretary. Morton soon after went to Whittingham. Thirteen days after, on the 23d, Drury wrote to Cecil, from Berwick, "that the Earl of Morton lieth at the laird of Whittingham's, where *Lord Bothwell*, and Liddington, (Secretary Maitland) *came of late to visit Morton*." We know the guilty object of that visit, from the confession of Morton; and from Archibald Douglas's letter. [Robertson, ii. 531.]

"Seeing I had not obtained the queen's assent, in writing, as Bothwell had promised, he would not meddle further with the plot[c]." Is it not apparent, from such circumstances, that Bothwell had not any love-letters, sonnets, or promises of marriage, in the queen's writing? Is it not equally apparent, that Morton was aware, that Bothwell, a few days before the murder, had no such love-letters, sonnets, or promises of marriage, to show him? And from the same facts, may we not infer, that Morton, when he pretended, in June following, to have intercepted a boxful of love-letters, from the queen to Bothwell, knew that his pretence was unfounded, and his oath to the same effect, was untrue?

During "the anxious moments, which pass, between the birth of plots, and their fatal periods," Bothwell was not occupied with the queen, from whom he had no expectation; but, he was busy, in animating the hearts, and strengthening the hands, of those dependents, who were to aid him, in his villanous purpose. The Privy Council Register evinces, that he was seldom at court, whatever Buchanan may feign. He was, meantime, in Lidisdale, preparing his people; he was at Dumbar-castle, putting in order the gunpowder, which was to effect an essential part of the fell design[d]. Far otherwise was the queen occupied. She brought her son, from Stirling to Edinburgh, on the 13th of January 1566-7[e]. From her physician, she, no doubt, often heard of the true state of her husband's person, and spirit: And, learning, incidentally, that he had given up his project of leaving Scotland; that he was sensible of her affection; he avowed, that he was willing to live with her, like a husband; and they became reconciled to each other: In pursuance of his wish, she went to Glasgow, to bring him, with her, to Edinburgh. In this spirit, she set out from Edin-

---

[c] The confession, in Ballantyne's *Journal*, 495-6.

[d] See the confessions in Arnot's *Crim. Trials*, 333: Anderson's *Col.* ii. 177-8.

[e] Birrel's *Diary*.

burgh, on the afternoon of the 24th of January 1566-7, probably, for Glasgow[f]; and in the same spirit of reconcilement, she brought Darnley with her to Edinburgh, on the 31st of *the same* month[g]. He was now placed in the house of Kirkafield, in the southern suburbs of Edinburgh, for the benefit of air, at a distance from the prince, his son. The frequent visits, which Mary made to Darnley, in this residence, during his convalescence, are the best proofs of her reconcilement, and of her kindness. And yet, Morton, and Murray, produced, in evidence, a boxful of letters, which, as they said, had been then written, from Glasgow, by the queen to Bothwell, and which contradict those facts, and contravene those records.

The conspirators, with the advice of Maitland, and the agency of Bothwell, their catspaw, began to make preparations, for effecting their nefarious plot, from the moment, that the house was known, wherein Darnley was to lodge: Nor, were the conspirators, and Bothwell, at any loss to know the facts, from Secretary Maitland, the ablest, and the most artful, of all the plotters. It was, from him, that the queen's movements were known; and indeed, the whole conspirators were Privy Counsellors, who were perfectly acquainted with every event, foreign, and domestic.

The whole preparations being now made, with the advice of Maitland, Bothwell, the catspaw, according to the detail of the plot; which required his activity, and forwardness, on the 10th of February, about two, in the morning, with his associate complotters, and his servants, effected their odious design, by strangling the king, and his servant, Taylor, who slept, in his apartment; and, by carrying their bodies into the adjacent garden; when they

---

[f] The Privy Seal Record; and the Register of Signatures, both contain documents, which evince, that the queen still remained, at Edinburgh, on the 24th of January 1566-7. And two such records are decisive evidence of the fact, whatever Robertson may say to the contrary. She may have left Edinburgh, in the afternoon of that day.

[g] Birrel's *Diary*.

fired the gunpowder, which blew up the infirmary, where they reposed.

Whether Elizabeth, and Cecil, knew the murderous part of the plot is uncertain: Yet, is it obvious, that Maitland was the contriver of it; that Murray approved of it, though he showed his consciousness, by his going out of the way, at the catastrophe; and that Morton, whatever he might, at first, pretend, was present, at the deed, by Archibald Douglas, his agent, and was the most vigorous of all the actors, in bringing the conspiracy to its appropriate end; whereof Bothwell was, "such an Herculean actor in the scene[h]."

It was soon whispered, by those, who knew the secret, that Bothwell was the chief murderer of Darnley, though some persons were joined with him, in that charge, who were innoxious; for the purpose of delusion[i]. Bothwell was ere long charged, by public advertisement; and, more privately, by Lennox, Darnley's father; with being the chief assassin of the king[j]; and it was even hinted, by secret emissaries, that the queen was not altogether unacquainted with the odious purpose of her husband's death; in order, that she might be first disgraced, by calumny, and, finally, dethroned; as one of the principal ends of the whole conspiracy. Yet, was there no disturbance; as the leading men were all engaged, in the plot. "Lennox desired the queen," said Kyllygrew to Cecil[k], "that such persons, as were named, in the placard

[h] See the examinations of Powrie, Dalgleish, Hay, Hepburn, who were all executed, as murderers, for the part acted by Bothwell. [See Anderson's *Col.* ii. 165-171, 173-177-183; and Arnot's *Crim. Trials*, 383, for Ormiston's confession.]

[i] Keith, 368-9-370-1-2-3-4.

[j] On the 12th of February, two days after the murder, a proclamation was issued from the Privy Council, offering a reward of 2,000*l.* to any one, that would discover the murderer. [*Ib.* 568.] On the 16th of February, a placard was affixed to the Tolbooth door; accusing Bothwell, Sir James Balfour, David Chalmer, and John Spens, with being the murderers. [*Ib.*]

[k] Sir Henry Kyllygrew, who had been sent, by Elizabeth, at the end of February, to condole with Mary, on the death of Darnley, wrote Cecil on the 8th of March:

should be taken: Answer was made to him, that if he, or any will stand to the accusation of any of them, it shall be done; but, not, by virtue of the bill, [placard] or his request." Lennox, however, persevered, in his accusations of Bothwell, till the Privy Council found it necessary, on the 28th of March, to appoint the 12th of April, for his trial, by the Justice-court[l]. Lennox soon discovered, that it was more easy to charge such a crime, on such a person, than to convict him: And after all his zeal of prosecution, he thought himself obliged to apply to Elizabeth, for her influence, to obtain an adjournment of this long expected trial. Elizabeth, who delighted to embarrass the Scotish queen, sent an express messenger to Edinburgh, for the several objects, of gratifying Lennox, and distressing Mary: But, such an interposition of a foreign sovereign, to obstruct a Court of Justice, could not be admitted[m]. The judges, accordingly, assembled; the jury was sworn; and Bothwell came into court, with Morton, on one hand, and Maitland, on the other, of the culprit: Nor, could he have had more able coadjutors, than two statesmen, the ablest, the art-

"That he had had no audience before this day, after dinner, with my Lord of Murray, who was accompanied [at dinner] with my Lord Chancellor. [Huntley], the Earl of Argyle, my Lord *Bothwell*, and the Laird of Lidington [Secretary Maitland]." This important passage shows *Bothwell* at *Murray's* table, twenty days after Bothwell had been charged, publicly, with the murder of Darnley: Nor, can there be any doubt, but Murray knew his guilt; as he was himself one of the conspirators. [Unpublished letter of Kyllygrew in the Paper Office.]

[l] Keith, 369-375, has printed the letters of Lennox with the queen.

[m] From that interposition of Elizabeth, and other circumstances, in her conduct, and Cecil's intrigue, it appears, that they were not let into the real secret of the conspirators, as they could not avow such a murder. Elizabeth, and Cecil were led, by such ignorant spies, in Scotland, as Grange, to suppose, that Bothwell was protected, and encouraged, by the queen; while it was her ministers, and nobles, Maitland, and Murray, and Morton, who contrived, and conducted the plan of the conspiracy, for acquitting Bothwell, and marrying him to the queen, with design to ruin both. When Elizabeth, and Cecil, traversed their measures, for those monstrous ends, they only showed, that they were not in the true secret of the statesmen, who were deeper, than themselves: We ought not to be surprised, then, that Mary was betrayed, and deluded, by those miscreants, to her ruin.

fulest, and the most audacious, in Scotland[n]. Lennox, being either gained, or terrified, remained at Stirling, but sent two agents, Crawford, and Cuningham, to support his feeble accusation, who produced some documents to prove Bothwell's guilt, and desired forty days delay, to give in additional proofs. And there being no proper prosecutor, nor any adequate proof, he was, necessarily, acquitted, by the court, and jury, according to the previous concert of the conspirators. Thus, successful was Bothwell, under such protection.

But, he was still more successful, under the same influences, at the subsequent Parliament, which met two days after the trial. It ratified, all Bothwell's titles; but not the acquittal of Bothwell, by the Justice Court[o]. The Parliament of April 1567 may be fitly called the *healing* Parliament; considering how many *confirmations*, and ratifications, were passed by it, under a convenient compromise of all parties, and a proper attention to all interests[p].

Thus supported by Morton, and Maitland, and by Murray's faction, Bothwell went on prosperously towards the great object of his guilty career. The Parliament had, scarcely, risen, when a bond was signed, by eight bishops, with the Archbishop of St. Andrews, at their head, by nine earls, by Maitland and Morton, in their front, and by seven lords, on the 20th of April 1567, approving of Bothwell's acquittal; recommending him, as the properest per-

---

[n] Camden's *Hist. Transl.* 93-4. Belforest, the author of "*Innocence de Marie*," concurs with Camden. And the letter, from Drury to Cecil, of the 15th of April 1567; giving him the result of Elizabeth's endeavours, to delay the trial of Bothwell. [See this interesting letter in the *App.* No. I. to this Memoir.]

[o] That ratification is asserted by every one, who wrote privately about it, and who considered it as a fact universally known. It was expressly asserted by the convention at Dunbarton of seven earls, twelve lords, eight bishops, and eight abbots, who sat, in that Parliament, and must have known the fact. [Goodall, ii. 361.] And yet, the Act of ratification does not appear in the *Parliamentary Record*.

[p] See a list of the Acts of this Session, in Keith, 178-9-80; and the *Parliamentary Record*, 752: Yet, if we might believe common history, it was called, merely, to restore Huntley, and confirm the titles of Bothwell.

son, for the queen's husband; and pledging themselves to defend such a marriage, with their lives, and fortunes[q]. Thus fortified, Bothwell thought himself double sure of the objects, which had been held up to his ambitious eyes, by his coadjutors in villany. Four days after the date of that bond of assurance, he marched out at the head of a thousand horsemen; and seizing the queen's person, at the Foulbrigs, near Edinburgh, on her return from Stirling; he carried her, forcibly, with her principal attendants, to the Castle of Dunbar. The queen was thus, plainly, delivered into the hands of a ruffian, by the nobility, and bishops, who signed that bond, and were accessories to his villany, though some of them

[q] See that notorious document, in Keith, 380. Among the earls, was conspicuous Morton, who now possessed the great secret of the conspiracy, under which that abominable business was transacted; and managed the whole, for Murray's interest; and Argyle, Rothes, and Lord Boyd, who had all leagued, with Murray, in his interested rebellion against the queen's marriage with Darnley. What was this disgraceful measure, but the surrender of the queen's person, into the hands of a ruffian, and a murderer! Morton, when he was about to lay his guilty neck upon the block, said, that he signed the abovementioned bond, under the influence of a precept, from the queen; but, if ever such a precept appeared, it was an obvious forgery, for a particular moment: And, Morton died on the scaffold, with a dozen lies in his falsifying throat. Yet, I do not concur with Mr. Tytler, in thinking, that the abominable bond had any weight with the queen, in persuading her to marry Bothwell: It only emboldened an audacious man, to do that, which induced her to think it necessary to give him her sullied hand. From Melvil (*Mem.* 80.) we learn, "that in Dunbar-castle, Bothwell boasted, he would marry the queen, who would, or who would not; yea, whether she would herself, or not;" and then Melvil, who was a prisoner with the queen, in Dunbar-castle, adds, "the queen could not but marry him; seeing he had done that, which obliged her to give her consent." This, then, being *the fact*, the enquiry is reduced to a question of *female delicacy*. Elizabeth would have chosen his *head:* Mary, who was less masculine, chose to accept his odious hand. The Bishop of Ross, who was a civilian, and a casuist, says, in his *Defence of the queen's Innocence*, "Mary, nothing suspecting the guilt of the Earl, after his acquittal, yielded to that, to the which those crafty, and seditious heads, and the very necessity of the time (as it then to her seemed) did, in a manner, enforce her." Now, the necessity, which enforces, must justify: *Necessitas quod cogit defendit.*

meant well[r]. As those several charges against Bothwell were found, by Parliament, to be true, we are obliged to believe, that the facts charged were real. Whatever glosses may have been put upon them, by ignorance, or the partiality of historians; as the highest authority thus adjudged Bothwell to be guilty of those several points of treason, we are equally bound, to regard him, as guilty, and the queen, as innocent; considering that, she had been coerced, by the power of a ruffian, whom she could not resist.

But, Bothwell, after all those traitorous proceedings, against the queen, had still a wife, whose marriage contract was to be dissolved; and her connection to be, legally, discharged, before he could proceed the full length of his ambitious aims[s]. And, he commenced a process, in the Archbishop's Consistory Court, for a divorce, on the pretence of *consanguinity*[t]. And his wife sued her husband, before the Consistorial Court of Edinburgh, for a divorce, on a charge of adultery: The sentence of divorce, on her suit, was pronounced on the 3d of May 1567; and on his suit, the marriage was declared null, on the 7th of May 1567: Whether the parties to those proceedings could marry again; he to some other

[r] On the 20th of December 1567, at the Parliament then held by the Earl of Murray, James Earl of Bothwell, and six assistants, were impeached, and convicted of the following crimes: 1. for the murder of the king's father; 2. for ravishing of the queen's person, at the Foulbrigs; 3. for imprisoning of her person in the Castle of Dunbar; 4. for compelling her to complete a marriage with him; 5. for stuffing, and holding of the said Castle. [Sir Lewis Steuart's *MS. Col.*] The genuine record of those proceedings has been lately printed, in the *Acta Parliamentorum*, under the authority of the Record Commissioners. A copy of the same record had been sent to Cecil, at the time, and now remains, in the Paper Office: But, a collation with the genuine record evinces, that the copy was vitiated, in disfavour of the queen, by the *very miscreants*, who were her own servants, but leagued with Murray, Maitland, and Morton.

[s] Before the divorce, Bothwell granted to his wife, for life, the lands, and town, of Nether Hales, in Hadingtonshire; which grant was confirmed, by a charter, under the Great Seal, on the 10th of June 1567. [*Privy Seal Reg.* xxxvi. fol. 115.]

[t] They were *fourth cousins*.

woman; and she, to some other man; was then doubted by the gravest lawyers: They both did, in fact, marry again. The queen herself had not completely made up her opinion on the effect of a divorce; but, she was overpowered, by a necessity, which enforced her acquiescence, though with many a sigh[u].

In this manner, then, did the conspirators, and Bothwell, accomplish their insidious purpose, for effecting the queen's marriage with Bothwell, in pursuance of the plot.

At the end of a dozen days imprisonment, Bothwell brought the queen, under the escort of his horsemen, to Edinburgh-castle, preparatory to his marriage with her, the consummation of all his wishes, and the reward of all his crimes; though he did not reflect, amidst his reveries of enjoyment, that the moment of his marriage with her, was, also, the fulfilment of the compact, with his coadjutors in crime: On his part, he had murdered Darnley; on their parts, they had obtained his acquittal, for the crime, and had enabled him to marry the queen: From the moment of this marriage, their amity with Bothwell ceased; and their enmity began, if it were not already begun[x].

---

[u] Keith 389-94.

[x] It has been already seen, that Elizabeth, and Cecil, were not informed of the whole extent of the conspiracy: They began to perceive, however, from the turn, which the whole affair was taking, by the charge against Bothwell, and the probability of the queen's marriage with him; that the whole would end in her ruin: When Elizabeth and Cecil attempted to prevent the acquittal of Bothwell, they acted, without knowledge of the whole conspiracy: But, when Murray passed through London, about the 14th of April 1567, he, probably, hinted enough to Cecil, to show him, that a storm was approaching, which would lay the fortunes of the queen, and Bothwell, in ruins. In the Paper Office, there is a letter from Bedford, Elizabeth's chief officer at Berwick, (then being in the south,) dated the 11th of May 1567 to Cecil: "I understand by your last letters, that her majesty's meaning is, to have me make haste Northward, to comfort those Lords of Scotland, that are joined together, to withstand Bothwell's attempt. I mean to be at Berwick, as soon as may be." The queen was only married to Bothwell four days after. We now perceive, that Cecil even before the 11th of May was master of what was to happen. But, who informed him? The answer must be, Murray: and Murray was completely ac-

The queen now thought herself obliged to make a declaration before the Court of Session, who had ceased to sit, when the judges heard of her imprisonment; allowing of their conduct; acknowledging her forgiveness of Bothwell; and avowing her liberty; though she felt, that she acted, by a constraint on her will[y]. The banns of marriage were published in a church of Edinburgh, though not without opposition. She created Bothwell, Duke of Orkney. And she was publicly married to him, in the Chapel of Holyrood-house, by Adam, the Bishop of Orkney, on the 15th of May 1567[z]. The news of this marriage, with the supposed murderer of her husband, was speedily spread over Europe; and was received, with indignation, by all those, who did not know the circumstances, which compelled the queen to act; and who did not advert, that whoever obeys a power, that cannot be resisted, acts, innocently, in a moral sense.

From henceforward, we must consider Bothwell, as no longer supported, by Murray, Morton, Maitland, and the other conspirators. Morton, and his associates, now began to band together, secretly, at first, but, more openly, afterwards, when they drew their swords, on the 10th of June 1567[a]. The queen, and Both-

---

quainted with the detail of the plot; and acquainted Cecil with the results; that Morton, and his associates, would draw their swords against the queen and Bothwell, the moment after their marriage. Cecil's letters, in the *Cabala*, correspond, exactly, with the reasoning, from Bedford's letter to Cecil.

[y] Keith, 385.

[z] There are three contracts of marriage, between the queen and Bothwell, in Goodall's *App.* ii. 54-61: The two first are obvious forgeries. The third is the real contract, in 57-61: It was witnessed, by the Archbishop of St. Andrews, two other bishops, by Huntley, the Chancellor, Maitland, the Secretary of State, by the Justice-clerk, and her advocate, by the Earls of Crawford, and Rothes, Lord Lindsey, Lord Herries. Lesley the Bishop of Ross, who signed this contract, cries out shame upon the subsequent conduct of the Bishop of Orkney.

[a] There remains, in the Paper Office, a letter from Kirkaldy of Grange to the Earl of Bedford, whose spy he was, dated the 26th of April 1567: He desired to know what part queen Elizabeth will take: There are men enow would revenge the murder, but are afraid of Elizabeth. The queen did, soon after, take her part against the

well, knew so little of the intrigues, which were carrying on against them, even before the epoch of their marriage, that they were in danger of a surprise, when they fled, hastily, to Borthwick-castle, on the 6th of June 1567; leaving Edinburgh-castle in the doubtful hands of Sir James Balfour[b]. Morton, and his associates, entered Edinburgh, four days after, with the good will of the Provost, and citizens; and the insurgent nobles, at once, assumed the government of the whole nation, as if an abdication had already taken place. The avowed principle of their insurrection, was, for freeing the queen, from captivity, for preserving the prince, and for punishing the murderers of her late husband[c]. Morton, who was the chief of the insurgents, was also one of the chief murderers of Darnley.

Morton was now the very soul of this new insurrection; having the secret of Murray, with the confidence of Cecil: And, he drew his sword, and went into insurrection, which was wholly founded upon an audacious assumption of what did not exist, except in gross pretence: The queen was, no longer, in captivity; the prince was safe, within Stirling-castle, in the care of Mar, one of the insurgents; and Morton himself, Maitland, the Secretary, and Sir James

---

Scotish queen, and Bothwell; and, as we have seen, she ordered Bedford, to repair to Berwick; to comfort the lords, who are leagued together to withstand Bothwell. Morton, who had urged on Bothwell to his fate, put himself in arms against Bothwell, on the 10th of June. Kirkaldy, we thus see, was quite out of the real secret.

[b] Lesley's *Defence*, 20; Keith, 398.

[c] Keith, 399; Anderson's *Col.* i. 128; Goodall, i. 366-7: The proclamations of the insurgents were, undoubtedly, very artful, and threw the queen into a complete snare. The audacity of impudence, in Morton, by acting thus, would be very wonderful, in any other character, than in such a miscreant: He was the leading member of the conspiracy: He it was, who encouraged Bothwell to commit the murder; he was himself guilty of the same crime; and was afterwards convicted, and executed for the treason: Morton stood, by Bothwell, in the Justice-court, and obtained his acquittal: And, he was, afterwards, the leader in the bond, for defending Bothwell's innocence, and his marriage, with the queen. The duplicity of this principal villain is the strongest evidence of the plot, and of the depravity of the conspiracy.

Balfour, were the three principal assassins [d]. Morton had already conducted the conspiracy of Craigmillar with complete success to the very last object of that nefarious plot, namely, the dethronement of the queen: And, he now took arms, to free her from captivity. Four days, after, those purposes of insurrection were avowed, by proclamation, the queen left Bothwell, at Carberry-hill, who was desired, to retire, quietly, and no one should follow him: and on the 15th of June 1567, she joined the insurgents; taking, merely, a verbal engagement, that they would receive her as their queen, and obey her, as their sovereign, according to their avowed principles. They, immediately, violated all their engagements, whether by proclamation, or by verbal agreement: They carried the deluded queen, as a captive, to Edinburgh; and the subsequent night sent her a prisoner to Lochleven-castle, on such motives as would not justify the detention of a prostitute, for a night[e]: As the queen was now dethroned, here was the *denoüement* of the tragical plot of Craigmillar-castle.

When the queen left Bothwell, on Carberry-hill, on assurances,

---

[d] Morton, and Maitland, were both convicted, and died, for this very offence, which they now so much deplored; and for punishing whereof they now took arms: The queen, afterwards, complained, that no one drew his sword, for her relief, *before* her marriage with Bothwell!

[e] The warrant, for committing the queen to prison, and dethroning her, may be seen, in Laing's Appendix. [Keith, 402-3.] Of those events the following is Cecil's delusive account to Norris, the English Ambassador, at Paris: "The best part of the nobility hath confederated themselves, to follow, by way of justice, the condemnation of Bothwell, and his complices, for the murder of the king: Bothwell defends himself, by the queen's maintenance, and the Hamiltons; so as he hath some party, though it be not great: The 15th of this month, he brought the queen into the field; with her power, which was so small, as he escaped himself, without fighting, and left the queen, in the field; and she yielding herself to the lords, flatly denied, to grant justice against Bothwell; so as they have restrained her, in Lochleven, until they may come to the end of their pursuit against Bothwell." Such, then, is the deliberate falshood of Secretary Cecil! And, the *Cabala* is the record of his guilt. This story, however, was sufficient to delude the court of France.

that were never fulfilled, Kirkaldy, the agent, for the insurgents, took him, by the hand, and desired him to withdraw, while he would ensure his safety. Deserted thus by the queen, on the 15th of June, a little month, after their marriage, and opposed, by those, who had engaged to defend his innocence, and his marriage, Bothwell retired, from the tented field to Dunbar-castle,

> "With shame, and sorrow, fill'd:
> Shame for his folly; sorrow out of time,
> For plotting an unprofitable crime."

But, according to Cecil's misrepresentation, the insurgents only restrained the queen, until they came to the end of their pursuit against Bothwell, who had been already acquitted, and secondly declared innocent, by the chiefs of the insurgents themselves: Yet, the conspirators having obtained the great prize of the queen's person, plainly permitted Bothwell to retire, without pursuit, to Dunbar-castle[f].

On the 16th of June, the insurgent nobles entered into a bond of association, "for prosecuting the Earl of Bothwell." And, in this association was included Sir James Balfour, the keeper of Edinburgh-castle, who had been gained, by Secretary Maitland. On the 20th of June, Bothwell is said to have sent his servant,

---

[f] Camden, the fairest, and best historian of those terrible times, is positive upon the point, that Bothwell was allowed to escape; as his detention was dangerous to the insurgents themselves; and as their real intention was the dethronement of the queen: They now had her in Lochleven-castle, and had only to say, that she was no longer queen, and to proclaim her son, with Murray, for his regent. "Scarcely had Murray left England," says Camden, "when those, who had acquitted Bothwell, from the guilt of the murder, and had given him their consent under their hands (by the bond) to the marriage, took arms against him, as if they would apprehend him; whereas, indeed, they gave him secret notice, to provide, for himself, by flight; and this, to no other purpose, but lest he, being apprehended, should reveal the whole plot; and that they might allege his flight, as an argument to accuse the queen of the murder of the king." [*Life of Eliz. Transl.* 94.] The whole State Papers confirm this representation of Camden, who had his accurate information, from the Cottonian Library.

Dalgleish, to the Castle, to bring from Balfour a boxful of letters, which Morton asserted he had intercepted: But, what is improbable is not easily believed! On the 26th of June, Dalgleish was examined, by Morton and other Privy Counsellors, concerning the king's murder; but, they did not ask him a question, about the interception of the box. On the same 26th of June, there was issued an Act of the Privy Council, "for apprehending Bothwell:" He is now charged, with being the principal actor in the murder; with ravishing the queen's person, with enforcing her to marry him: Considering her as an oppressed, and innocent woman, under his bondage, and thraldom: And the insurgents offered a reward of a thousand crowns, for bringing him to Edinburgh; in order that justice may be done upon him. This proceeding, ten days after the queen had been imprisoned, in Lochleven, is a mockery to her; while they gave notice to the wrong-doer, to withdraw, from a country, that could no longer tolerate him. Ten days after, he did retire, from Dunbar, by water, into Murray-shire, where he was entertained, by his grand-uncle, the bishop, in the same house of Spynie, where he had been bred. He was not long after obliged to seek for shelter, in his Dukedom of Orkney, where he was refused access into the Castle, by Gilbert Balfour, his own keeper of it. As he was now pursued, by a small fleet, which had been sent, from Leith, in quest of him, he fled to the coast of Norway, where he was arrested, by the Danish government. It is quite apparent, that the chief conspirators, Murray, Morton, and Maitland, had a stronger interest, in driving Bothwell, from Dunbar, after three weeks respite, than in bringing him, for trial, to Edinburgh[s]; as he had their engagements, in writing, to save him harmless; and might easily have disclosed the detail of the whole conspiracy.

---

[s] On the last of September, the Castle of Dunbar, which had been held, for Bothwell, hitherto, was surrendered to the Regent Murray, who ordered it to be demolished. Birrel, 14.

Bothwell, after a long respite, was at length driven away from Scotland. He could not now reveal secrets; he could not state the names, and the conduct of all those, who had prompted, and aided him, to make his treasonous attack on the queen's person, and to force her to marry him. He remained many a year, in the prisons of Denmark, while the Danish king, understanding the true state of the singular facts, refused to deliver him, either to Elizabeth's desire, or the regent's entreaty[h]. Bothwell, however, some years after, signified his consent to be divorced, from the queen, who could no longer be of any benefit to him.

On the 20th of December 1567, the last day of Murray's Parliament, Bothwell was forfeited, for various points of treason, concerning the queen's personal arrestment, and enforced marriage, which form the most decisive proofs, of the queen's innocence, who could not be guilty, while she acted under the constraint, that she could not resist[i]. The regent's government, consisting, chiefly, of the conspirators against the queen, carried their zeal, for the punishments of Bothwell, and his agents, to a great height, as it freed themselves from suspicion.

The regent Murray sent Stewart, the Lion king, to Denmark, not only to announce his elevation, but to solicit the delivery of Bothwell, which was not conceded to those, who were not supposed to be quite innocent themselves. The regent Lennox sent Morton, Pitcairne, and M^cGill, to solicit Elizabeth, for the de-

---

[h] Elizabeth, on the 29th of March 1568, wrote to the Danish king a letter, on the same subject; urging him to cause Bothwell to be delivered to the Scotish government. [See her violent letter, in Hearne's *Robert of Gloucester*, ii. 671-3.]

[i] Birrel, 14. Sir Lewis Stewart's *MS. Collections;* and the *Acta Parl.* iii. 5-8. It is at the same time remarkable, that the Privy Council, with Morton, at the head of it, in an Act of the 31st of July, charged Bothwell, with treasonably seizing the queen's person; with leading her captive to Dunbar; with constraining her, being in his bondage, and thraldom, to contract a marriage with him. [Anderson's *Col.* i. 142.] These were three of the very treasons, for which the Parliament of December 1567, attainted Bothwell.

livery of Mary to him; and he dispatched Thomas Buchanan, to Copenhagen; in order to obtain the guilty person of Bothwell: But, as the objects of those solicitations were known, and detested, neither the queen, nor Bothwell, was delivered into such treacherous hands [k].

In the mean time, the friends of Mary were more successful, when they applied to Bothwell, for a written assent, to his divorce from the queen: In 1569, he gave a letter, or rather a mandate to Lord Boyd, signifying his assent to such a divorce [l]. But, when Lord Boyd repaired to the Convention of Perth, in February 1572-3, the ruling powers refused their assent, though one of the principles of their insurrection had been, to separate the queen, from her enforced marriage: But, they acted, merely, as they were required, by Elizabeth, who did not approve of such a divorce, as it might have gratified Mary.

Bothwell appears, thenceforth, to have been little noticed by any of the parties, either in England, or in Scotland. And, he died in the Danish castle of Malmay, towards the end of 1576; declaring with his last breath, that the Scotish queen was quite unconscious of the death of Darnley, which had been procured, by the advice, and actions of Murray, and Maitland, and Mor-

---

[k] Morton, and his two associates, received, while they were at the court of Elizabeth, a letter from Thomas Buchanan, Lennox's agent, in Denmark, dated on the 20th of January 1570-1. They detained this letter, for some time, from the Regent Lennox: For that we had no will, said they, the contents of the same should be known; fearing that some words, or matters, mentioned in the same, being dispersed here, as such news should rather have hindered, than furthered our cause: Being asked, by Secretary Cecil, to see this letter, from Thomas Buchanan, they gave him a copy; omitting such things, as they thought not meet to be shown. [Goodall, ii. 332.] Knaves will always act as knaves: We thus see, Morton, the Chancellor of Scotland, the Secretary of State, and M^c^Gill, the Clerk Register, imposing upon the English government, by a falsification!

[l] The above letter, or mandate, remained among the family papers of Lord Boyd's descendants, even below the year 1746; and is a new intimation, for the Scotish historians.

ton[m]. It is unnecessary to elaborate such points: Every fact, and circumstance; every authentic document, and subsequent discovery; concur to evince the queen's unconsciousness of her husband's murder, which was clearly effected, by the overpowering conspiracy of Murray's faction, with Bothwell, for the conspirators' *catspaw*, and *victim*, on that occasion.

[m] Camden's *Life of Elizabeth*, 137. In Sinclair's *MS. History of Scotland*, which was written, at the time, and remained, in the Scots College, at Paris, till recent times, p. 796-7, there was the following passage: "Bothwell, at his death, and several times before, declared on his oath, that he himself committed the murder, by the counsells of Murray, and Morton; and that the queen was altogether innocent, and knew nothing of the murder." To this Sinclair added, "that the king of Denmark sent authentic copies of Bothwell's declaration to the queen of England, and other princes." In a letter, from Mary, to the Archbishop of Glasgow, her Ambassador, at Paris, dated the 6th of January 1577, in the Scots College, Paris, *Mem. Scot.* tom. ix. fol. 8, she says, that the king of Denmark had sent to queen Elizabeth the testament [declaration] of the late Earl of Bothwell; but, that she had secretly suppressed it. Before the Bishop of Sconen, and four of the Danish lords, the Earl of Bothwell solemnly declared what he knew of the late king's death, after apologizing for his weakness, which prevented him from speaking much, that the queen was innocent of the king's death; and that he himself, his friends, and certain of the nobility, were the only authors of it. [*Mem. Scot.* tom. ix. 145.] From Sir John Forster's letter to Secretary Walsingham, we learn, that Bothwell's *Testament* was given in evidence against Morton on his trial for the king's murder.

SUBSIDIARY DOCUMENTS.

No. I.—*Of the Trial of Bothwell, for the Murder of Henry, late King of Scots:—Drury's Letter to Cecil, on this subject.*

THAT the trial of Bothwell, on the 12th of April 1567, was collusive is quite apparent: It was an essential part of the conspiracy of Murray's faction, for the king's death, that Bothwell, their catspaw, should be saved harmless. Morton, and Maitland, acting for that faction, did protect him on his trial; and did obtain his acquittal. Keith, p. 373-378, has collected the principal circumstances of this notorious adjudication. Sir Lewis Stewart has gathered into his MS. Collections, merely *the assize*, or list of the Jurors. He concurs with the Documents, in Keith, that the fact of the murder was charged, as committed, on the 9th of February 1567, when it ought to have been, on the 10th of the same month. On this head, little more need be said, as indeed little additional is to be attained. But, as queen Elizabeth interposed, with Mary, to delay the proceedings; sending a letter to that effect, which was conveyed, by the Provost Marshall of Berwick to Holyrood-house; it may gratify a reasonable curiosity, to see how he was received there, on the morning of the trial of Bothwell; who appeared to protect him; and what were the opinions of Edinburgh, on that occasion. The letter of Sir Wm. Drury to Secretary Cecil, on those subjects, is preserved, in the Paper Office, Vol. 18, No. 20; and is hereunto subjoined:—

"(2) Right Honorable—The Queene's Ma^ts^ letter directed to the Quene of Scotts I receved the XI hereof, at X of the clock; which forthw^th^ I depeached by the Provost Marshall here, who in myne opinion was not the unmeetest I could choose for the purpose. He arrived at the Court the XII^th^ at VI in the moreninge, and then used his dilligence ỹmediatly to deliver his letter, which he hadd in chardge to the Quene, attending some

good space in Court, procuring all that he might by the meanes of such as were nere her person, who told him it was earlie, and that her ma^ty was asleepe, and therefore advised him to tary sõme tyme thereabouts till she arose, w^ch he did, going owt of the Court in to the towne, and shortely after returned, she being not yet rysen, and therfore walked abowt till IX, or almost teñe of the clock, when as all the lords and gentlemen were assembled taking their horsse, and then thinking his opertunitie aptest, going into the Court as a litle before he did (the contents of the letter he brought being conjectured and bruted to be for stay of the Assiss) was denyed passage into the court in very uncourtouse mañer, not w^thout sõme violence offred, which seing he could not be permitted to have recoursse into the court, as all other persones whatsoever they were; he requested that sõme gentelman of credite would undertake faythefully to deliver his letter from the queenes ma^tie of England to the quene their sovereigne, w^ch none would seeme to undertake. Uppon this came unto him the Parson of Oldehamestock, surnamed Heyborne, who told him that th' Erle Bodwell hadd sent him w^th this message, that th' Erle understanding he hadd letters for the quene, would advise him to rẽtyre him to his ease or abowt sõme other his buseness, for the quene was so molested and disquieted w^th the busines of that day, that he saw no likelehood of anie meete tyme to serve his turne till after the Assiss.—Then came the Lorde of Skyrling, who asked him if his leters were ether from the counsell or the queenes ma^tie, he told him from the queenes ma^tie only—then sayd he, ye shall be soone dispached, and so returning into the Court, desired the said Parson to keepe him company at the gate, w^ch he did, and therew^th espieing a Scottisheman whome he hadd for a guide, tooke occasion to reprehend and threaten him of hanging for bringing such Inglishe vilaynes as sought and procured the stay of the Assiss, w^th woords of more reproche.—In this instant Lidington was cõming owt, and Bodwell w^th him, at the w^ch all the lordes and gentlemen mounted on horssebak, till that Lidington came to him, demaunding him the letter, w^ch he delivered, th' Erle Bodwell and he returned to the quene, and stayed theare w^thin, halfe an hower.—The hole trope of lords and gentelmen still on horsebak attending for his cõming.—Lidington seemed willing to have passed by the Provost w^thout any speach, but he pressed towards him, and asked him yf the queenes ma^tie hadd perused the letter, and what service it would please her ma^tie to cõmaunde him back agayne.—He answered that as yet the quene was sleeping, and therefore hadd not deli-

vered the letter, and thought there would not be anie meete tyme for it till after the Assiss, wherefor he willed him to attende. So giving place to the thronge of peopl̃e that passed, w^ch^ was greate, and by the estimac̃on of men of good judgements above IIII^M.^ gentelmen besids other—Th' Erle Bodwell passed w^th^ a mery and lustie chere, attended on w^th^ all the soldiours being C̄C̄ all harkebuzers to the Tolbowth, and there kepte the doore, that none might enter but such as were more for the behofe of the one side then the tother.—The Assiss began betwene ten and aleven, and ended VII in the after none.

Th' Erle of Arguile and Hunteley, cheefe judges. What perticulerly was done or sayde theare I canne not yet lerne, more then that there were two advocats, called Crayforde and Cuningham, for th' Erle of Lenox, who accused th' Erle Bodwell for the murder of the king, alleadging certeine documents for the same, and desiring fortie dayes terme lenger, for the more perfitte and readier collection of his proofes, and the said Erle of Lenox woulde be bounde to prove uppon Bodwelle, that it was his act in woorde and deed, and therfore yf they clered him in that Assiss they protested for wilfull error.

Sixe of them w^ch^ sett uppon him, neither quited him nor clered, but were silent: who they be I canne not yet tell.

Th' Erle Morton refused to be of the Assiss, sayeing that to serve her ma^tie^ he would be gladd, howbeit in this cawse thoughe the king hadd forgotten his part in respect of nature towards him, yet for that he was his kinseman, he would rather pay the forfecte, which was C̄ li. Scottish.

Th' Erle Creyford would gladly have been of the Assiss, but could not be admitted.

Th' Erle Castells because he refused to be of the Assiss, the quene cõmaunded him upon payne of treason, eather to goe to ward to Dunbarre, or ells to accepte the other her pleasure.

It is affirmed that at this Assiss none were sworen.

Th' Erle Bodwell hath satt up a cartell ỹmediately w^th^ the ending of the Assiss, declaring him selfe quite and clere of this murder, offering him selfe to defende any challenge therof w^th^ his bodie by anie Scott, Inglishmann, or Frenshe, or anie other what soever he be, so he be not a person infamed. I have not yet the copie of it, but I looke for it, and your hono' shall have it.

James Bawfoure mynded w^th^ full determinac̃on to have hadd an Assiss

for him in like mañer, but nowe uppon I wote not what dowbte, is gladd to take better advisemẽt.

Th' Erle of Lennox, as one of his owne men sayeth, was on the way, cõming to the Assiss, till he mett w^th^ a message from the quene, that he shuld not come to the Court w^th^ above VI in nomber, whereuppon he returned.

Yesterday beganne the Parliamẽt, in thẽ w^ch^ it is thought shall be little matter more treated then the restoring Hunteley, and Sutherland, and the advauncemẽt of Bodwell to the dukedom of Rossay.—Tomorrowe or uppon Fryday it is thought the quene goeth in person to the Parliament.

Touching Ireland I can yet lerne nothing more then that there are certeine of Aneales men, three or IIII or thereabowts, w^ch^ nowe liẽ at Kingcorne in Scotland, intending to embarke for Flaunders, pretending sõme matter w^th^ King of Spayne nowe at his coming thither. Oconer in Scotland hath sent me a cople of letters w^ch^ Aneale wrote unto the French King, and Cardinall of Loreine, and I send them herew^th^.

Touching the aunswere of the Scottishe quene I send her letter herew^th^, w^ch^ was the cause of my silence. The messenger could not have his dispach sooner then yesterday at II of the clocke, and to importune it other then like a beggar at the gate was not tollerable, for furder recourse hẽ could not have in to the Court, then to the gate, w^ch^ was moore woondred at of all sortes both noble and gentelmen, then he therew^th^ was greved. Le Crocque sayd he would tell the quene thereof, and Ledington desired him to take it in good part, it was not in him to remedy.

All the Court nowe weareth the dole, w^ch^ they did not before Le Crocq came.

The Lord of Skirling, or Trebrown, shall have the office of comptroller of the queenes howse.

Th' Erle of Lenox being at Starling of late, sawe the prince in the presence of the Erle of Marre, whome he requested, as he hadd allwayes been faythfull to the Crowne, so he would, in this chardge, have most earnest regard thereunto.

Thus having nothing furder to troble your hono' I humblely take my leave.—From Berwick this XV^th^ of Aprill 1567.

WM. DRURY.

No. II.—*Of the several Grants, which were said to be made, by the Scotish Queen to James, Earl Bothwell.*

THE calumniators of the Queen of Scots talk largely of her loading Bothwell with marks of her bounty, by conferring on him extensive estates, and important offices[a]. Robertson says, that in the Parliament of April 1567, the queen granted Bothwell a ratification of all the vast possessions, and honours, *which she had conferred upon him*[b]. It ought to have been said, that the Parliament granted a ratification of his estates, and honours, which had descended to him, from his father, and grandfather, except the office of Keeper of the Castle of Dunbar, and the Castlewards to the same belonging[c]. The ratification, which was granted to Bothwell, by this healing Parliament, in April 1567, was only one, among a hundred others, particularly to Murray, and Morton, and to their friends. But, such were the prejudices of Robertson, and Laing, that they did not comprehend what was done, at that memorable Parliament[d].

2. The second head of calumniation arises from the willing falshood of Knox, concerning the Lieutenancy of the Borders. He tells us[e], "that on Bothwell's return to Scotland, in 1565, during Murray's rebellion,

---

[a] Robertson's *Hist.* i. 382; Laing's *Dissertation*, i. 12-13, &c.

[b] *Dissertation*, 173, and *Hist.* i. 248; and Laing makes the same assertion, in rather stronger terms, in his *Dissert.* 73; and in p. 13, that the queen had given to Bothwell the office of Lord High Admiral. As a lawyer, Laing might have seen, in Sir James Stuart's answer to *Dirleton's Doubts*, that this office had been granted *hereditarily*, to Earl Adam, in 1511: I will not charge those writers with stating deliberate falshood; but, I will say, that they had done well, to have learned distinctly what they asserted; when they were to calumniate a woman, and criminate a queen.

[c] *Acta Parl.* ii. 550-1. *Privy Seal Reg.* xxxv. fol. 14. On the 1st of March 1566-7, Bothwell had a grant, for the good services done to the queen-mother, and to the queen, of all the casualties of ward, &c. due by his father, and himself, whereof no account had been made, by them, or their deputies, in the queen's checker. [*Privy Seal Reg.* xxxvi. fol. 24.] Robertson, and Laing, who did not search the records for facts, seem not to have known of this grant of casualties to Bothwell.

[d] See a list of the Acts of Parliament, which were then passed, in Keith 379-80, and the printed *Parl. Record.* 752.

[e] *Hist.* 385.

Bothwell was placed on *the Council*, and appointed Lieutenant of the Middle and West Marches[f]. Upon the falshood of Knox, Robertson, and Laing, built their own fabrics: Robertson tells us, "Bothwell was, in 1566, Lieutenant, *or Warden*, of all the Marches, an office among the most important, in the kingdom; and though, usually, divided into three distinct governments, bestowed, by the queen's favour, upon him alone[g]: So, Laing says, *that in addition to the Wardenship* of the three Marches, till then conferred upon separate persons, he was rewarded, with the office of Lieutenant[h]. It is not true, that Bothwell was ever made *Warden of the Marches*; at that time, Lord Hume was Warden of the East Marches; Kerr of Cessford of the Middle Marche; and Sir John Maxwell of the West: The office, which Bothwell held, was *Lieutenant* of the Marches, an office, that had never been held, by three persons: To this office, James Earl Bothwell was first appointed, in 1559, when the queen-mother was almost overpowered, by the insurgents: And, he was again appointed, when the queen was occupied, with the rebellion of Murray, her minion, and when Bothwell's services were wanted, and several other Lieutenants were appointed, in different districts: It was at the time, when Morton led her army, Northward, when he ought to have pursued to the Southward; and when Secretary Maitland remained about her person, to betray her counsels; as we know, from Randolph.

3. The *third* head of Calumniation is the grant of the Abbeys to Bothwell: Knox, or his continuator, assures us that, (after the death of Rizzio) the queen gave Bothwell the Abbeys of Melros, Hadington, and Newbottle, and also the Castle of Dunbar, with the principal lands of the Earldom of March, which were the patrimony of the crown[i]. This mass of misrepresentation, Laing amplifies in the following manner[k]: "On the

---

[f] Keith, 187, has transcribed from the Privy Council Register of the 6th of September 1561, the appointment of Bothwell, as a Privy Counsellor, on the queen's arrival from France, when her bastard-brother, the Lord James, was appointed chief minister; and when James Earl of Bothwell was placed the fourth, on the list of Privy Counsellors, under the ministry of the Lord James, as Mar, or Murray.

[g] *Hist.* i. 228. [h] *Dissert.* i. 13.

[i] *Hist. of the Ref.* 296.

[k] *Dissert.* 13: The authorities quoted by him are, Knox, 296; Anderson, i. 96; Melvil, 67: But, in Melvil, there is not a word of these grants: In Anderson, there is not a syllable of these grants, but he says, that he had his great offices *hereditarily*: Even in Knox's *Continuation*, which Laing quotes, and stigmatizes, by turns, there is

assassination of Rizzio, Bothwell acquired, by his successful services, the most unbounded influence over the mind of the queen: In addition to the Wardenship of the Three Marches, till then conferred upon separate persons, he was rewarded with *the office of Lord High Admiral*, the Abbeys of Melross, and Hadington, and the Castle and Lordship of Dunbar, together with an extensive grant of the Crown demesnes." What egregious misrepresentation! The continuator of Knox, merely, states the grant of the three Abbeys of Melros, Hadington, and Newbottle. Now; of Melros, first: Bothwell never obtained this Abbey, from the queen; and could not obtain it; as it was held for life, by Michael Balfour, the Commendator, who held it till his death, in 1569. The administration had rather been taken from Bothwell, by the queen's minion, soon after her return, in August 1561. Bothwell, when acting, strenuously, on the Borders, as Lieutenant, for the regent queen, appears to have obtained, from her, the administration of the vacant Abbey, which he held till the queen's return: It was then taken from him, and given to his rival, Arran, by his enemy the queen's minion[l]. When Arran lost his senses, in 1562, the Abbey of Melros was granted for life to Michael Balfour, who probably obtained this Commendatorship, by the influence of Maitland, who partook of the profits[m]. We thus see, how the records, which contain the facts, overthrow the misstatements of the historians, and at the same time, expose the avaricious villany of the reformed nobles.

2. The second Abbey laid to the charge of Bothwell was that of Hadington, which, with its lands, lay in the midst of his domains: His pro-

---

not a word of the grant of the office of Lord High Admiral, nor of the grant of the demesnes of the crown. Much of Laing's misrepresentation is copied into the last Peerage, article, *Bothwell*. Thus is calumny propagated!

[l] Keith, 196-202, and Randolph's letter to Cecil, 11th November, 1561.

[m] *Privy Seal Reg.* xxxii. fol. 56; *Ib.* xxxiii. 73. And Balfour was, moreover, saddled with a yearly pension of 500 marks, out of the revenues of Melros, to the Earl of Glencairn, who was called the *good earl*, for his zeal in destroying churches: the *good earl* having followed the *good earl* of Murray into rebellion, was denounced a rebel; and Bothwell, for his services in crushing the traitorous crimes of the *good earls*, obtained, in December 1565, a grant, of the escheat of Glencairn's pension. *Ib.* xxxiv. fol. 24. This grant was, however, rendered nugatory, by the pardon of Glencairn, by Murray's influence, 19 March 1565-6. When Balfour died, in 1569, the Regent Murray granted this Abbey to his nephew, James Douglas, the second son, who was then a boy, of William Douglas of Lochleven. *Privy Seal Reg.* xxxviii. fol. 77.

genitors had, by established usage, enjoyed the right of presenting a Prioress, when death made a vacancy. According to the established custom, Earl Patrick presented to this Abbey his kinswoman, Elizabeth Hepburn, who was Prioress, at the epoch of the Reformation. In 1560, and in 1561, Earl James applied to Mary, both in France, and in Scotland, after her return; stating the rights of his progenitors, and claiming the disposition of this Abbey, when it should become vacant, as being "the native room, and kindly possession of his family:" And to this pretension, the queen assented. But, in 1563, when Bothwell was in distress, Secretary Maitland obtained a grant of *fee firm*, from Elizabeth, the Prioress of all the lands, belonging to her Abbey: And this grant was confirmed to him, by a charter, under the Great Seal, in December 1564 [n]. After the death of the Prioress, the queen, in December 1563, gave her Secretary a grant of the profits of this Abbey, of which his father, Sir Richard, and his brother, John, were appointed the Stewards, until the appointment of a Prioress [o]. Under this grant, Secretary Maitland enjoyed the profits, until March 1565-6, when he engaged in the conspiracy against Rizzio; and was thereupon obliged to abscond. Bothwell now seized so favourable an occasion, to renew the claims of his family to the patronage of this Abbey, whereof he had been deprived, by the artifices of Secretary Maitland, even in opposition to the queen's engagement: And, upon this representation, the king, and queen, on the 9th of March 1565-6, appointed Dame Isabel Hepburn the Prioress of Hadington Abbey, during her life [p]. But, the Abbey, which was despoiled of its lands, was of little value; and the new Prioress, only, enjoyed some annuities, and tithes. The lands of this Abbey were held, by Secretary Maitland, till his forfeiture, in 1571, when they were given, by the regent Lennox, to Lord Lindsay, and other partizans. The foregoing representations exhibit a genuine picture of what occurred, in almost every district of a distracted country: There were two, or more pretenders to every casualty of the crown, which, on every occasion, was by them solicited; and when the queen determined the matter, in favour of one of the claimants, the one became ungrateful, and the other discontented.

3. The third charge against Bothwell for monopolizing Abbeys, was that of Newbottle: But, the charge, in this case, was more groundless, than the

[n] *Privy Seal Reg.* xxxii. fol. 128. [o] *Ib.* 18. [p] *Ib.* xxxiv. 55.

other two: In 1546, Mark Kerr the second son of Andrew Kerr of Cessford, was appointed Commendator of Newbottle, during life: He enjoyed it till his death, in 1584, when it went to his eldest son, Mark, under a grant of the queen, in 1567, to succeed his father, as Commendator. This charge, then, as Bothwell never had, or pretended to have, any interest, shows a strange passion, for calumny, in those, who make, or repeat such groundless charges.

But, what were the calumnies of Buchanan, and Knox, of Robertson, and Laing, to the incessant endeavours of Secretary Cecil, to disgrace, and degrade the Scotish queen, by the basest calumniations! In November 1573, he sent a series of questions to be answered, by Morton.[q] The last series of questions was the value of the grants, by the Scotish queen to the Earl of Bothwell: To which Morton made the following answers:

1. Bothwell having spent his whole estate, at his return, from France, in 1565, was first made Lieutenant-general over all the Borders.

2. He had the Abbey of Melros, which was better than 5000*l.* Scots, before his intromission therewith.

3. He had the Abbey of Hadington, worth 1000*l.* Scots.

4. He had the Castle, and Lordship of Dunbar, worth 2000 marks a year.

5. He was made Captain of Edinburgh Castle, with a yearly allowance of 1000*l.* Scots.

6. He was made Duke of Orkney, and Lord of Shetland, being the property of the Crown, worth 10,000 marks.

7. *He should have had* the superiority of Leith, and *feu* of the Canongate, beside, Edinburgh; to be more able to make a party, in the town of Edinburgh.

8. He had delivered to him of the queen's jewels to the value of 20, or 30,000 crowns."

It may be observed, as a general remark on the foregoing statement, that the assertion, or the affidavit, of such a miscreant, as the Earl of Morton, who was devoid of principle, and faithless by habit, was unworthy of any credit. It is not true, that Bothwell had spent his estates, before his return from France, in 1565; as we see him in possession of his Castles, and Estates, till his expulsion from Scotland. (1) The Lieutenancy of the

[q] Calig. C. 10. fol. 114; M. Crawford's Col. in the Adv. Lib. Edin. iv. w. 2. 23.

Borders was not granted to him, either at the time, or on the occasion, that Morton asserts. (2.) We have already seen, that Bothwell did not obtain the Abbey of Melros, after his return to Scotland. (3.) Of the Abbey of Hadington; how little he obtained, compared with the acquisition of Secretary Maitland, we have already seen. (4.) Of the Castle of Dunbar, he was, merely, appointed Keeper, with the benefit of the Castlewards, or lands, which were appropriated for its support. 5. Whether Bothwell ever was made Captain of Edinburgh-castle may well be doubted, as an assertion, without proof, and contrary to proof. On the 19th of March 1566-7, the Earl of Mar obtained, from the queen, and Council, a discharge of his trust, in keeping the Castle of Edinburgh, which had been in the possession of him, and his father, John, Lord Erskine, since April 1554; and that discharge was ratified, by the Parliament of April 1567[r]. On the 21st of March, the Castle of Edinburgh was rendered to Cockburn of Skirling, at the queen's command; as we learn, from Birrel's *Diary*. It is in vain for writers to assert, that Bothwell was appointed the Captain of Edinburgh-castle, when nothing can be found, either in the Privy Seal, or Privy Council, Registers, as to such an appointment: The presumption is, that no such appointment ever took place; since there is nothing, on the subject, in the Records: And, the fact seems to have been, that Cockburn of Skirling retained possession of his charge till the 1st of June 1567, when he was appointed Comptroller, in the room of Murray of Tullybardin, who was dismissed[s]: And Sir James Balfour was hastily sent, to take charge of the Castle, at that critical moment: as there is nothing in the

[r] *Acta Parl.* 547. Robertson says, that the queen bestowed the government of the Castle of Edinburgh on Bothwell, the 19th of March. *Hist.* i. 244. He quotes Anderson, i. 40, and *Pref.* 64; Keith, 379: But, the authorities have no proof of what they say: They are authorities, without authority. Knox's Continuator assigns some day, before the 12th of April, as the time of his appointment. *Hist. Ref.* 405: But, he has no authority, for what he says.

[s] See the Treasurer's Accounts, for the fact, and the date. See the Wardrobe Accounts of Queen Mary, printed under the direction of the King's Record Commissioners, which are decisive on this head: (1) The queen's discharge to Lord Erskine, when he resigned the command of the Castle; (2) Sir James Cockburn's receipt, for receiving the Castle, from Lord Erskine's Commissioners, by command of the queen, on the 21st of March 1566-7, which corresponds, exactly, with what Birrel said: On the 21st of March 1566-7, the Castle of Edinburgh was rendered to Cockburn of Skirling, at the queen's command. [*Diary*, 7.] When the Earl of Morton stated to Secretary Cecil, that Bothwell was made Captain of Edinburgh-castle, with a yearly salary of 1000*l.* Scots, he only stated a deliberate falshood.

Records of his appointment to such a trust [t]. It is an important, and curious fact, that there does not appear, in the Treasurer's Accounts, any charge of materials furnished, or one penny of money paid, or jewels delivered, to Bothwell, either before, or after his marriage, with the queen: This fact evinces, that the assertion of Morton, like his interception of the boxful of love-letters, of 30,000 crownsworth of the crown-jewels being delivered to Bothwell, was a deliberate falshood, for the obvious purpose of calumnious deception, by a miscreant, who was very capable of asserting any lie, or committing any villany [u].

In arguing such questions, concerning Bothwell, we must always distinguish, between the period of his independence, *before* he was drawn into Murray's conspiracy: and the period *after* he became a conspirator with Murray, Morton, and Maitland, for the death of Darnley.

During the first period, Bothwell acquired, by descent from his father and grandfather, the offices of Lord High Admiral of Scotland, of High Sheriff of the shires of Berwick, Hadington, and Edinburgh, and Baillie of Lauderdale. He was appointed, by the two queens, in succession, their Lieutenant of the Borders. He was appointed, by Queen Mary, Keeper of Dunbar-castle, with the benefit of the Castle-wards; but, not of Edinburgh-castle. How little he acquired, from the three Abbeys of Melros, Hadington, and Newbottle, we have just seen.

(2) What did he obtain, during the second period? The superiority of

---

[t] Goodall, in his Account of Balfour, p. iii. says; "*In the beginning of the year* 1567, he was made Governor, or Deputy Governor, under James E. Bothwell:" But, for this loose assertion, he has no proof. It could not be *before* the 19th of March; as it was, only, on that day, that the Earl of Mar resigned the same charge: And on the 21st of the same March, the Castle was resigned to Cockburn of Skirling, by the queen's command. Birrel. Spottiswoode, 201, says, Bothwell and Balfour, obtained the Castle on the resignation of Mar: But, Birrel's Notice, and the Record, overrule both. The same Record evinces, indeed, that Sir James Balfour, by the queen's command, was appointed to receive, from Lord Erskine's Commissioners, the *Ordnance stores, within the Castle,* according to the inventory thereof; which he did, on the 20th of March 1566-7, the day before Cockburn took possession. *Rec.* 165.

[u] The queen's jewels fell into the hands of those, who dethroned her, and usurped her government. And, the subsequent disposal of them presses hard upon the memory, of Morton, and of Murray, who both had an interest, in asserting the falshood of so large a portion of them having been delivered to Bothwell. On the 2d of October 1568, Queen Elizabeth wrote to Murray, forbidding him to sell any of the Queen of Scots' jewels. [Cecil's *Diary,* Murdin, 765.]

Leith, on the 15th of February, about which Robertson declaims. [*Hist.* ii. 334-5.] The chief conspirators did not contest with him, this grant; because they knew how soon his fate would annihilate his fortunes. The queen, says Robertson, gave Bothwell the honour of carrying the sword before her, at the opening the parliament. But, may not Morton, and Maitland, have put the sword into his hand? She made him Duke of Orkney, in prospect of her enforced marriage. She still retained her affection, for Bothwell, after she had lost him. But, it may be asked, if ever she had any affection for him. Force, and affection, stand opposed to each other. Murray's Parliament of December 1567, decided, that she had been coerced to marry Bothwell; and for this treason, the Parliament attainted him, which is a higher authority than Buchanan and Knox, Robertson and Laing! After Bothwell had become a conspirator, at Michaelmas 1566, he was allowed, by Murray, and the other conspirators, to assume great state, and considerable rule: But, the moment, they withdrew their support, his power, though married to the queen, shrunk up into nothing. This circumstance demonstrates, that Bothwell's influence over the queen, when compared with the predominance of Murray, and his faction, was a mere quintessence even from nothingness. He thus obtained the baronies of Hailes, and Chrichton, &c.

No. III.—*Of the Ascendency of Earl Bothwell over the Scotish Queen, with a view to her Marriage of him.*

1. Mary became a widow, on the 10th of February 1566-7, when her husband, Darnley, was assassinated, by a conspiracy of nobles: The State Papers prove, that such a conspiracy existed; the Statute Book of Scotland contains the convictions of Morton, Bothwell, and Maitland, the conspirators, who executed that odious murder. The epoch of that conspiracy was the 1st of October 1566: But, such a conspiracy could not have existed, without the knowledge, and concurrence of Murray, who was all-powerful, not more, for his personal influence over the queen's spirit, as for the number, and weight, of his partizans: He acknowledges, in his answer to Huntley, and Argyle, that he had then become reconciled to Bothwell: From that time, Bothwell acted more with Murray, than with Mary.

Morton was, at the same time, let into the secret, by Maitland, who durst not have corresponded with Morton, who was then expatriated, in England, on such a subject, without the knowledge of Murray. Morton, thus previously informed of the plot against Darnley, had scarcely arrived from England, at Whittingham, when he was met, there, by Bothwell, and Maitland, about the 20th of January 1566-7, for concerting, with that notorious plotter, the death of Darnley, whom they all abhorred: The State Papers evince both the meeting of the conspirators, and the guilty object of their barbarous purpose. When the murder was to be committed, Murray retired, from Edinburgh, the criminal scene, into Fife, the fosterdam of so many plots. From all those proofs, it is quite apparent, then, that Bothwell acted, merely, as one of a conspiracy.

2dly. Yet, rumour included Murray, as one of the deed-doers, with Bothwell, and others. Murray again retired, from Edinburgh, to London, and Paris, three days before the trial of Bothwell, for that deed of villany. On the 12th of April 1567, was he tried, and acquitted, by a court, composed, chiefly, of Murray's partizans; Morton, and Maitland, the agents of Murray, standing, by him, on either side, and directing his defence. Morton, and Maitland, went some steps further, in execution of their concert with Murray, as two fundamental points of the conspiracy still remained to be done, by Bothwell's agency; the marriage of the queen, and her consequent dethronement. They obtained a written declaration, from many peers, and prelates, asserting the innocence of Bothwell, and his fitness, for a husband to the widowed queen, though Bothwell was already married. This document remains, the disgrace of those, who signed it, with Morton's signature, who dared do more than man, in acquitting Bothwell, today, and impeaching him, on the morrow.

3dly. Emboldened by this declaration, Bothwell marched out of Edinburgh, at the head of a thousand horsemen; and arrested the queen's person; carried her, forcibly, on the same day, to his Castle of Dunbar; and therein coerced her, to agree to marry him. Maitland, acting as Murray's agent, went with them to Dunbar-castle, not to give *good*, so much as *bad* advice to the imprisoned queen[x].

---

[x] The Privy Council, at the head of which was *Morton*, acting for the absent *Murray*, on the 21st of July 1567, declared that "Bothwell ravished the queen's person, led her captive to Dunbar, and constrained her, being in his bondage and thraldom, to contract such an ungodly, and pretended, marriage with him, such as

After seeing the facts, which were stated by the Privy Council, in July 1567, and the Act of Forfeiture, in December 1567, can it be made a question, among reasonable men, or considerate women, what motive induced the queen to marry Bothwell, whether the love, or the violence, of Bothwell? As those facts must be true, which are proved by the Act of Privy Council, and the Statute of Forfeiture, it must be equally certain, that neither love, nor ascendency, produced that fatal event, but artifices, and force. In after-times, the unfortunate queen complained, with tears in her eyes, that while she was suffering under the bondage, and coercion, of Bothwell, not a sword was drawn, for her relief; but, the moment that she had submitted to necessity, ten thousand swords lept from their scabbards, to undo what could not be undone[y]. Such then were the avowed motives of the insurgents, with Morton at their head. Three days after, the queen being with her army, on Carberry-hill, voluntarily surrendered herself to Grange, the officer, who was sent by the insurgents, saying, "I surrender myself to you, upon the conditions, you have rehearsed to me, in the name of the Lords." She then went over to the Lords; leaving Bothwell on the field, who was allowed, by the insurgents, to depart quietly, and without pursuit. On the 16th of June, the queen was committed to Lochleven-castle. This,

---

neither God's law, nor man's law, could permit." [Anderson's *Col.* i. 142.] The Act of Parliament, forfeiting Bothwell, states the same facts, as the grounds of his attainder: 1. That he had, treasonably, arrested the queen's person; 2. that he had carried her, forcibly, to Dunbar-castle; 3. that he had therein constrained the queen, to consent to marry him. [*Acta Parl.* iii. 5-10.] A copy of this Act was carried up to England, by Murray, to prove the guilt of Mary; yet, by collation with the genuine Act, we see, that it was vitiated, on that occasion, by M^c^Gill, the Clerk Register, who acted, corruptly, with Murray. This Act, owing to whatever knavery, was *not* published, by the same M^c^Gill, among the Acts of that Session, which were printed by Lekpreuik, on the 6th of April 1568. When Skene, in 1597, published his edition of the Scotish Statutes, he appears, plainly, not to have known, that such an Act of Forfeiture ever existed!

[y] The first proclamation of the insurgents of the 11th of June 1567, recites, that the queen being detained in captivity, by Bothwell, and thereby being unable to govern, or to try the murderers of the late king: They had taken arms, for delivering the queen, for preserving the prince, and for trying the king's murderers. The insurgents, when they entered Edinburgh, on the 12th of June, issued a second proclamation; avowing as their motives, that Bothwell had laid violent hands on the queen's person, and shut her up, in Dunbar-castle, and compelled her to a dishonest marriage: They, therefore, took up arms, for delivering the queen's person, for taking revenge on Bothwell, as he had ravished, and detained, the queen.

then, was the last scene of the tragedy; wherein the king lost his life, and the queen her diadem: But, it is quite apparent, that there was only *one conspiracy*, consisting of several acts, or parts; whereof Morton, from his return to Whittingham, was the constant leader, though Murray was the chief, and Bothwell the *catspaw*. As Morton was the leader, who protected Bothwell, at his acquittal; and obtained for him the declaration of the peers, and prelates; so was Morton the leader of the same faction, who murdered the king, who enabled, and encouraged, Bothwell to arrest the queen, and to constrain her to marry Bothwell, on the 15th of May; so was Morton the leader of the same insurgents, who, on the 11th and 12th of June, by two proclamations, avowed the causes of their arming, and rising, to be, that Bothwell detained the queen's person, and made a dishonest marriage with her; and that they intended to deliver her, from Bothwell, whom they meant to punish: Yet, on the 15th of June, the same insurgents, with Morton at their head, allowed Bothwell to depart quietly; made the queen a captive, who surrendered herself, on their own conditions; and, contrary to their own conditions, committed her to Lochleven-castle. In all this, there is abundant evidence of the artifice, and insidiousness of Morton, and his insurgents; but, what proof is there of the ascendency of Bothwell over the queen? There is none: Yet, was she, by matchless villany, involved in Bothwell's baseness, without a crime, and deprived of her crown, and liberty, by Morton's profligacy, for Murray's benefit.

The whole of the foregoing proofs evince a very different proposition from positive evidence of Bothwell's ascendency. The queen knew him, his history, and his character; and, if we may believe Randolph's correspondence, in 1565, she had special cause given her of dislike. She knew, also, that he had married the Lady Jane Gordon, only, on the 22d of February 1565-6.

The epoch of Bothwell's ascendency over the Scotish queen is fixed, by Dr. Robertson, at the 5th of April 1566, when the Privy Council advised her, after such a scene, as Rizzio's murder, in her closet, to retire into the Castle of Edinburgh, to wait, in safety, and quiet, the time of her accouchement[z]. Now; the only three men, of any consequence, who were allowed to remain with her in the Castle, were Darnley, her husband, and Argyle,

[z] Keith, 335; Robertson, i. 380.

and Murray, her two brothers-in-law, as we learn from Randolph's Dispatches to Cecil. Huntley, the Chancellor, and Bothwell, the Admiral, desired leave, to lodge, also, in the Castle, but, were, peremptorily, refused; as we know from the same Dispatches. But, by whose advice, and ascendency, was this refusal given? By Murray's; as we know, moreover, from Randolph: It would have been quite inconsistent with Murray's corrupt views, to have admitted Huntley, and Bothwell, to lodge, in that stronghold; as it would have disappointed his designs on the possession of it, in case of her expected demise. * And, Bothwell was by the same influence, soon after sent to the English Borders, on the pretence of watching Morton, but with the real design of sending him out of the way. Where, then, was Bothwell's ascendency over the queen, at that epoch of its origin? The answer must be, that it did *not* exist.

But, to obtain a complete view of those topics of charge against the Scotish queen; and of Bothwell's conduct, from that epoch of crimination; we must inquire: 1. How Bothwell acted, before he became a conspirator with Murray's faction; 2. How Bothwell acted, as a conspirator with Murray; 3. How he acted, as a paramour with Mary.

1. As to the first point: Bothwell was all his life opposed, and maligned, by the English faction, in Scotland, which, as it regarded him, was the same as Murray's faction: Bothwell, and Maitland, were, always, personal enemies; having a constant competition, for the same object, in the casualties of the crown, in the Southern shires, where their several interests lay. Bothwell returned, from France, to Scotland, in 1565, during Murray's rebellion; and he joined the queen, who obliged Murray to seek refuge, in England. When Rizzio was murdered, for Murray's restoration, at the queen's personal risque, Bothwell, with other nobles, joined her, at Dunbar; and aided her, in returning to Edinburgh. The only promotion, which Bothwell received, in the nature of reward, on those occasions, was the appointment of Keeper of Dunbar-castle, with a grant of the Castlewards, on the 24th of March 1565-6[a]: After the queen's restoration, upon the flight of Morton, and his coadjutors, in assassination, Bothwell continued to act, in opposition to Murray; and Murray, in opposition to Bothwell. But, Murray had the queen's ear; and excluded Bothwell, from the Castle of Edinburgh; as we have seen. Murray, then, and not

* *Privy Segl Reg.* xxxv. 14.

Bothwell, had the ascendency over the queen, in the months of April and May, June and July, 1566, whatever Robertson may, from system, assert. At the beginning of the subsequent month, when the queen had retired to Alloa, Murray solicited the restoration of Secretary Maitland, which was opposed, by Bothwell, who hated the Secretary; and an altercation ensued, in the queen's presence: Yet, Murray's influence prevailed; as the influence of Bothwell was infinitely inferior to Murray's; whatever Robertson may suppose [b].

2. But, a great change was at hand. When the nobles could no longer endure the absurd conduct of Darnley, whom they proscribed, as intolerable, Murray conciliated Bothwell, who hated Darnley, and was hated, by him [c]. This, then, is the true epoch of the conspiracy against Darnley, who was then condemned to the bowstring; and when every body was to be conciliated, in order to form a wider concert against the king's safety. During the following months of October and November, Murray completely gained Bothwell to his faction, and views, while Robertson supposes Bothwell to have gained an ascendency over the queen. From the moment, that Bothwell became attached to Murray's faction, he assumed what he was allowed, by that faction, a higher port in life, and a greater ascendency, in the state: And this assumption of arrogance, which was tolerated, by Murray, imposed upon the world, as if Bothwell had acquired an ascendency over the queen, when he had only obtained the stately port of a conspirator with the ambitious Murray.

It was during this period, that the Justice Ayres were held, at Jedburgh, that Bothwell was wounded, by Elliot, in Hermitage-castle; that the queen visited her lieutenant, at the same Castle; that she was taken ill of a dangerous sickness; that she made a progress, when those courts had ceased, along the Tweed to Berwick; thence along the Forth to Dunbar-castle; and thence, after a few days of rest, and of business, removed to Craigmillar-castle, with her court, and ministers, and with Bothwell, the High Sheriff of the shires, through which she had passed: The State Papers evince, that in the same period, Murray conciliated Bothwell, for his

---

[b] Robertson's *Hist.* App. 435-6.

[c] Murray himself says, in his answer to the Protestation of Argyle, and Huntley, "that at the beginning of October 1566, he had subscribed a bond, with Huntley, Argyle, and Bothwell, which was devised, in sign of reconciliation, *in respect of former grudges*, and *displeasures*, that had been among us." Goodall, ii. 322.

own interest; and that Bothwell enjoyed the facilities, and importance, arising from the favour of Murray, who was by far the most powerful person, then in Scotland, not even excepting the queen's majesty.—But Bothwell's concert with Murray was, equally, a conspiracy against the queen, whose fate was involved, in that of her husband. It was, in Craigmillar-castle, after the queen's return, from that progress, at the end of November 1566, that Maitland, in the presence of Murray, of Huntley, Argyle, and Bothwell, opened to the queen the project, for separating her from Darnley, by a divorce, if she would pardon Morton, and his friends. The queen, at first, hesitated; but, finally, refused to be divorced from her husband. On that occasion, Bothwell answered the queen's objections, by saying, "that he doubted not, but the divorcement might be made, without prejudice, in any wise, to my lord the prince; alleging the example of himself, that he succeeded to his father's heretage, without any difficulty, although there had been a divorce, between him, and his mother [d]." This interposition of Bothwell, and his obvious zeal, for the divorce of the queen from Darnley, evinces, that Bothwell had been now completely gained over to Murray's faction; and entered, with intelligence, and energy, into Murray's various views, of murdering Darnley, and giving the widowed queen to Bothwell. When the Earls of Bedford, and Murray, and other nobles, solicited the queen, for the pardon of Morton, and his associates, Bothwell, heartily, concurred, in favour of Morton [e]. As there never had been any friendship, between Morton, and Bothwell, this concurrence of Bothwell evinces, that he was acting on that occasion, in concert with Murray against the king, and queen, upon a settled plan. About the 20th of January 1566-7, Bothwell, with Secretary Maitland, visited Morton, at Whittingham, soon after his return from England, in consequence of his pardon [f]: From Douglas's letter, and Morton's confession, we clearly know the object of that visit, to have been, to solicit Morton's concurrence, in the project, which, since the 1st of

[d] Goodall, ii. 319.

[e] We know that fact, from the information of Bedford to Cecil: Robertson, mistakingly, says, that *Bothwell's influence alone* obtained Morton's pardon: But, Elizabeth, on that occasion, was herself a host.

[f] This very important fact, of which Robertson seems not to have been aware, is proved, by Drury's information to Cecil; by Douglas's letter, in Robertson's *App.* ii. 528. No. xiv; and by Morton's Confession, in Bannatyne's *Journal:* This fact demonstrates a conspiracy of three persons, for committing a treason.

the preceding October, as Morton knew, had been, in the contemplation of Murray's faction, to take off Darnley: These three *complotters*, Bothwell, Maitland, and Morton, were all convicted of the murder of Darnley [g]. Bothwell agreed to be the active person, in taking the life of Darnley; Murray's faction giving him assurances, in writing, that they would protect him; that he should have the widowed queen, in reward; and that they would defend his innocence, and his marriage[h]. Bothwell, with others, did murder Darnley; he was accused by Lennox; he was ordered to be tried, on the 12th of April 1567; he was tried, and acquitted, by judges, and jurors, consisting of Murray's faction; and Morton, and Maitland, stood by him, in court, and aided him, in his defence[i]. A few days after, the same Morton, and Maitland, influenced a number of peers, and prelates, to declare Bothwell innocent; to recommend him, by a writing under their subscriptions, to the queen, as the fittest husband; and engaged, by the same writing, to defend his innocence, and his marriage[j]. Thus strengthened, and encouraged, Bothwell, on the 24th of April, four days after the true date of that recommendatory writing, marched out of Edinburgh, at the head of a thousand horsemen;

---

[g] The records of their convictions evince the fact; and the convictions demonstrate a conspiracy. *Acta Parl.* iii. 5-10-58, 137, 227. Sir Lewis Stewart's *MS. Collections.* The previous conspiracy, and the subsequent convictions, evince the queen's innocence of any foreknowledge of Darnley's death.

[h] Bishop Lesley's *Defence*, 1569, p. 43-44-45; Keith, ch. xi. for the documents, and circumstances, which prove those facts; and Jebb, i. 460-62-68-72-528, to the same points: The result of what they did, in fact, is the best proof of what they engaged to do.

[i] Camden asserts those facts; Belleforest, the author of "*Innocence de Marie Raine d'Escosse,*" concurs in the same facts; and Drury's letter to Cecil, from Berwick, on the 15th of April 1567, three days after the trial, corresponds with both.

[j] See that infamous writing, in Keith, 381-2. Such was the temper of those times, that nothing could happen, without some falshood, or forgery, being annexed to it: On that occasion, there was a writing forged, with the usual facility, of Maitland, signifying the queen's consent; that the lords should subscribe the recommendation of Bothwell; but, the absurdity of this paper evinces its forgery. [Whittaker's *Vind.* ii. 370-1.] Morton signed the recommendation; and nothing could have induced such an audacious man to do so, but his engagement to Murray, to execute the whole plan of the conspiracy, which required, as an essential point, that the queen should marry Bothwell, without which, they could not accomplish her dethronement. The queen's own account of that transaction evinces the forgery of what may be called the queen's defeasance to the nobles, for signing the recommendation.

arrested the queen, at the Foulbrigs; forcibly carried her to Dunbar-castle; and there, by violence, enforced her assent to marry him. The Parliament of December 1567, found, and adjudged Bothwell, not only to be guilty of the treasonable murder of Darnley, but of the forcible arresting of the queen, and carrying her to Dunbar-castle; and there, compelling her, by violence, to assent to marry him[k]: After that consent thus obtained, Bothwell brought the queen to Edinburgh, who, like other kings, and queens, that are obliged to perform what they cannot refuse, submitted with the best grace, to what was thus forced upon her. Bothwell, by two several courts, the Papist, and the Protestant, was divorced, on the 5th of May, from his legitimate wife. The queen avowed her purpose to marry him; the banns were proclaimed[l]; a formal contract, for that end, was entered into[m]; and on the 15th of May 1567, the queen, and Bothwell, were, publicly, married, in the hall of the Palace, after sermon, by the Bishop of Orkney[n]; and again in the Chapel of Holyrood, according to the Popish ritual. The marriage was thus legal, and obviously voluntary, though her assent arose out of secret coercion, and imprisoned violence. Thus much, then, with regard to Bothwell's conduct towards the queen, as a *conspirator;* and one of Murray's faction!

3. Let us now inquire, how Bothwell acted towards the queen, as a *paramour*, with a view to *her heart*, and *hand*.

(1) If the facts, which have been just stated, under several distinct heads, and ascertained, as so many truths, be just; then, Bothwell never acted, as a paramour, at all; and obtained, by the aid of Murray's faction, her hand, at least, by circumvention, and force: And so did the first Parliament of K. James, which was called, by Murray, the Regent, and managed, by Morton, the Chancellor, find, and adjudge, upon solemn trial[o]. (2dly) In a question of this gallant sort, it is important to ascertain, when Earl Bothwell ceased to be a single man, which was on the 22d of February 1565-6. (3dly) It is of equal importance, to ascertain when, Bothwell was supposed to acquire considerable influence with the queen? It was the same epoch, as that of her retirement into Edinburgh-castle, by the avowed advice of the Privy Council, though by the secret suggestion of

---

[k] *Acta Parliament.* iii. 5-10. [l] Keith's *App.* 192.

[m] See it in Goodall, ii. 61, with a dozen witnesses, consisting of prelates, nobles, and officers of state: it was recorded on the 14th of May, the day of its signature.

[n] Keith, 386. [o] *Acta Parliament.* iii. 5-10.

Murray. The only nobles, who were now allowed to lodge with her in the Castle, were her two brothers Argyle, and Murray: Huntley, the Chancellor, and Bothwell, the hereditary Admiral, were refused to be admitted to the same privilege, though they asked for that accommodation[p]. But, neither Keith, nor Robertson, had the least perception of the deep projects, which Cecil, and Randolph, on the one side, and Murray, and Morton, on the other, had formed, in contemplation of the queen's miscarriage, perhaps, death, from the accidents, that are incident to child-bed: Murray, by having the command of Edinburgh-castle, would have seized the crown, or the regency, according as the accident might have been; and Randolph was ordered to remain at Berwick, ready to repair to Edinburgh, for supporting Murray's interest, with Elizabeth's money, and Cecil's intrigue. But, Robertson was so blinded, by his conceits of love, and gallantry, that he had not the least conception of the deep speculation of those artful men. And, Bothwell had so little ascendency, that he was soon after sent away to the Borders, as Lieutenant, on pretence of watching Morton, but, with the real design of having him out of the way, when such important events might happen. Thus idle was Robertson's system!

But, he is still more idle, when he adds, in his best manner: "Her gratitude loaded him with marks of her bounty; *she* raised *him* to offices of profit, and of trust; and transacted no matter of importance, without his advice[q]." As Mr. Laing asserts all those points, with amplifications, he

---

[p] Randolph wrote Cecil, on the 7th of June 1566, "The Earls of Argyle and Moray lodge in the Castle, and keep house together: The Earls of Huntley, and Bothwell, *wished*, also, *to have lodged there, but were refused.*" Now; does not this fact prove, how much more influence Moray, and Argyle, had, than Huntley, and Bothwell?

[q] *Hist.* i. 382; and he quotes Melvill's *Mem.* a very interpolated book, and Knox, a work still more interpolated, and false: In flat contradiction to Knox, Melvill, and Robertson, I assert, that *there is not one word of truth in what is said above.* The queen never loaded Bothwell with marks of her bounty; she never raised him to *offices* of honour, and of trust; and Bothwell never was *her minion*, like Murray, who was the person, who was consulted, by her, even till his retirement to France. The fact is, that Bothwell enjoyed, by descent, from his father, the several offices of Lord High Admiral of Scotland, Sheriff-principal of the three several shires of Berwick, Hadington, and Edinburgh, and Baillie of Lauderdale. To the *Lieutenancy* of the Borders, not the *Wardenship*, Bothwell was appointed, by the regent-queen, in 1559, when her government was nearly overpowered by Lord James Steuart, and his insurgents; and Bothwell was restored to the same lieutenancy, during Murray's re-

is included with Robertson, in this clear refutation of the most absurd calumnies. If this advocate would have read Sir James Stewart's Answer to Dirlton's *Doubts*, he had learnt, that the admiralty of the whole kingdom had been granted, in 1511, by James IV. to Adam, Earl of Bothwell, the *grandfather* of the notorious James, Earl Bothwell. King James was born, on the 19th of June 1567; the queen's month was up, on the 19th of July, when she was advised, as she had no wheel-carriage, to take a jaunt, by water, to Alloa-house, the hospitable seat of Lord Erskine; attended, by his lordship, by Murray, her minion, by Bothwell, her hereditary admiral, and by other courtiers, and ladies. Darnley, in his usual style of folly, would go by land[r]. Speaking of this period, Robertson says, the queen continued to treat Darnley, with *indifference* and *neglect*: The historian was so absurd, as to make Castelnau, the French Ambassador, "prevail on the king and queen, to pass two nights together:" And, in this strain, he makes "Bothwell, all this while, the queen's prime confident, without whose participation no business was concluded, and no favour bestowed." Murray never lost his influence over the queen, when he was with her; and Bothwell never had much, when he was present, or absent. It was, at Alloa, that Secretary Maitland, was first admitted into the

---

bellion, in 1565; and it was on the 24th of March 1565-6, on Rizzio's assassination for Murray's restoration, that Bothwell was appointed Keeper of the Castle of Dunbar, and had a grant of the Castle-wards to the same belonging; as we know from the *Privy Seal Record*, xxxv. Bothwell never was appointed Captain of the Castle of Edinburgh, as we may infer, from the silence of the records; and Cockburn of Skirling succeeded Lord Erskine, in March 1566-7; as we may learn from Birrel; and from a receipt in the Wardrobe accounts: Sir James Balfour succeeded Cockburn, when he was appointed comptroller, in June 1567; so that there was no room, for Bothwell's appointment. Bothwell was, indeed, appointed of the Privy Council, on the 6th of September 1561, under the ministry of Murray. Keith, 187. The queen, no doubt, consulted Bothwell, when she refused to let him lodge in the Castle; and when she sent him out of the way to the borders, to watch Morton. The late peerage writer, in the article *Bothwell*, repeats the whole fictions, and impertinences, of Robertson, and Laing.

[r] "On the 20th July, or thereby, Q. Mary fled the king's company, and passed, by *boat*, with *the pirates*, to *Alloa*, where the king coming was repulsed." Anderson's *Col.* ii. 269. This is Buchanan, and Murray's *forged journal*. The king, and queen, remained, as we know, from record, at Edinburgh, on the 24th, 25th, 26th, and to the 27th of July, which was the day of *her voyage* to Alloa. There was a Privy Council held, at Alloa, on the 28th. And the king, queen, and her court, returned to Edinburgh; as we also know, from record. They remained at Holyrood-house, on the 31st of July. And on the 1st of August they returned to Alloa, where they remained two, or three nights: And, they finally came back to Edinburgh, on the 4th of August 1566,

queen's presence, since his participation, in Rizzio's murder, on the solicitation of Murray; and first received a pardon from the queen's beneficence, "by means of the Earl of Athol," says Keith, "though much against the inclination of the Earl of Bothwell[s]. After all those facts, and circumstances, we may now ask Robertson, What ascendency over the queen's councils could Bothwell have, at that particular period[t]? The answer, according to the fact, must be, *none*. This sway, or rather no sway at all, of a married man over a married woman, of an earl of no fair fame, over a queen, the historian endeavours to prove, by argument, rather than, by testimony. Even after four months exasperation, we may see the queen, at the Craigmillar conference, firmly refuse to be divorced from her husband, and decidedly dissent from any measure of that nature, that would either stain her honour, or blot her conscience, whatever influence, Bothwell, with all *his ascendency*, could exert, or persuasion, that Maitland could use[u]. We now perceive strong facts stand opposed to very weak argumentation. After the altercation before the queen, between Murray and Bothwell, on the 2d of August, at Alloa, when Bothwell sunk under the influence of Murray, we hear little of Bothwell, and still less of his *gallantries* with the queen. The fact is, that he continued the two subsequent months, at *daggers-draw*, both with Murray, and Maitland, whose pardon both Bothwell, and Darnley, had opposed. The first of October 1566, then, must be considered as the epoch of a great change, in Bothwell's connections, and destiny: He now became one of Murray's faction; and looked forward to the murder of Darnley, and the marriage of the queen, by Murray's means; while he was hated, by Murray, Maitland, and Morton, who after using him, as a *catspaw*, made him a *scapegoat*. If there be a penury

---

[s] Keith, 334.

[t] My Lord of Murray, and Bothwell, said the Earl of Bedford, have been at evil words, for the Laird of Lethington [at Alloa] before the queen; for he, and Sir James Balfour, had now come from Lethington, with his answer upon such heads, or articles, as Bothwell, and he, should agree upon; which being reported to the said Earl, [Bothwell] "in the queen's presence, made answer, that ere he parted with such lands, he should part with his life." My Lord of Moray said, stoutly, to him, "that twenty as honest men, as he, should lose their lives, ere he *reafte* Lethington. The queen spake nothing, but heard both; in these terms they parted; and since, that I hear of, have not met." Robertson's *App.* 435-6. She communicated to my lord of Murray, that money had come from the Pope, though it appeareth not, by whom, or how much. *Id.* Even this last intimation would prove, that it was Murray, and not Bothwell, who enjoyed the queen's confidence.

[u] Goodall, ii. 319-20.

of love, in the article just stated, we shall, perhaps, find an abundance in the next. The queen's purpose had been early given out, by proclamation, to hold Justice-courts, at Jedburgh, where she arrived on the 9th. It was soon known, that Bothwell, the Lieutenant, had been wounded, on the 8th. On the 16th she rode to Hermitage, to visit him; and returned, the same day, to Jedburgh. On the 17th she sent *a mass of papers* to Bothwell; and was taken, dangerously, ill, on the same day. It has, generally, been supposed, that fatigue, from such a ride, anxiety for Bothwell, whose hand was sore hurt, was the occasion of her distemper. The same persons, who make those suppositions, may, also, suppose, that the mass of writings, for carrying which the treasurer paid six shillings, consisted of love-letters, amorous sonnets, and marriage promises: On the contrary, it may, reasonably, be supposed, that *the mass of papers* contained proofs of the intrigue of the borders, not only against the Lieutenant, but of Morton, among the border tribes, against the queen's authority: And a dish of vexation, as we know, always gave the queen a fit of illness. But, Mr. Laing will at length show us Bothwell, in a situation of gallantry, rather than of conspiracy: "The preparations, for the ceremony of the baptism, says he, and the reception of the foreign ambassadors, were consigned to Bothwell[x]." This then is asserted, without any authority, and feigned, contrary to the fact. What I have said of Dr. Robertson, may, with still more truth, be asserted of Mr. Laing; let him have his insinuation, his falshood, and his forgery, and he will easily prove any woman guilty of any crime. Buchanan took a yet higher flight into the regions of fiction than even Mr. Laing: He makes the queen busy herself, in bestowing both money, and labour, in making Bothwell appear the most magnificent

[x] *Dissert.* i. 20. For that groundless assumption, Mr. Laing quotes Keith's *Preface*, vii. which says nothing to the purpose; Robertson, ii. 435. which tells, how Murray put Bothwell down, in the queen's presence; and Melvill's *Mem.* 77, which says, in interpolated language: "In the meantime, the Earl of Bothwell ruled all at court; having brought home the banished lords, and packed up a quiet friendship with the Earl of Morton." Bothwell ruled all at court, when Murray was not present! It is not true, that Bothwell brought home the banished lords; as we know from Bedford's information to Cecil. The passage contains nothing about what it was quoted, to prove: So that Mr. Laing's assertion is mere assumption. It is not quite certain, that Bothwell was at the baptism: But, what he may have taken upon him was owing to the connivance of Murray, and his agents, whose catspaw he was.

among all her nobles, and princely guests, at her son's baptism[y]: But, we know from record, that Bothwell was not present at *the ceremony* of the baptism, which, as a gallant man, he ought to have attended, with Athole, and four other nobles[z]: Yet, Bothwell may have been present with Murray, and others, at the entertainments: He, certainly, concurred with Bedford, Murray, and other nobles, in soliciting Morton's pardon. A few days after the baptism of the prince, says Robertson, Morton, and all the other conspirators against Rizzio, obtained their pardons, and had leave to return to Scotland: Mary, who had hitherto continued inexorable to every other entreaty, *yielded*, at last, *to the solicitations of Bothwell*[a]. Why; Robertson, if his eyes had not been shut by prejudice, might have perceived queen Elizabeth's claim to the sole honour of obtaining Morton's pardon[b]. And if his understanding had not been clouded, by ignorance of fact, Robertson would not have attributed to the same motive the queen's proclamation, for revoking the Archbishop of St. Andrew's restoration of his ancient jurisdiction: The motive, says the historian, which prompted Bothwell, to whose influence over the queen this action must be chiefly imputed, was still more criminal[c]. Now, let us hear what the Earl of Bedford wrote to Cecil, on the 9th of January 1566-7, after his return from Edinburgh, to Berwick: The Bishop of St. Andrews had of late obtained, under the queen's hand, authority to use a certain jurisdic-

---

[y] The accounts of the Treasurer contain no charges, for money, or furnishings, to Bothwell, on that, or, indeed, any other occasion. This record, then, is decisive of Buchanan's falshood.

[z] Goodall, i. 319-20.

[a] *Hist.* i. 402. But, Robertson is contradicted, by a letter from Bedford to Cecil of the 30th of December 1566, from Hallyards, in Fife; giving him notice of Morton's pardon; and informing him, that he had exerted himself, as he had been instructed, with Murray, Athole, and all other the lords, with the Earl of Bothwell, in Morton's favour: We thus see, that Bothwell only *concurred*, with others: But, why did he concur? Because Bothwell was now acting in a concert of conspirators, for the death of Darnley, and expected the aid of Morton; in which he was not disappointed.

[b] See her letter to Throkmorton, her agent at Edinburgh, dated the 27th of July 1567: "The Earl of Morton," says she, "had refuge in her realm, whence we might have delivered him to death; and he himself was restored to his pardon, for gratifying us, upon instance made, by our order, at the Earl of Bedford being with the queen of Scots." Keith, 429.

[c] *Hist.* i. 404; where Knox is quoted for his authority: But, no authority can justify falshood.

tion, in divers cases, according to the canon laws; and meant, therefore, to have erected "his court, at Edinburgh, which, because it was found to be contrary to the religion, and therefore not liked of by the townsmen, *at the suit of my Lord of Murray, the queen was pleased* to revoke that, which she had before granted to the said bishop[d]." We thus see, that Bedford, who, no doubt, had his information, from Murray, contradicts both Robertson, and Knox, in attributing that measure to the influence of Bothwell, who had nothing to do with it; and could not have produced it, if he had wished it. Robertson follows the delusion of Buchanan, in sending Darnley to Glasgow, after the pardon of Morton, which he had opposed, where he was taken with a dangerous distemper, even before he could reach Glasgow, from which his life was in the utmost danger, when her neglect was quite equal to his, when she lay so ill at Jedburgh[e]. Now, mark, how a plain tale shall convict Buchanan of falshood, and Robertson of ignorance. The Earl of Bedford, who left Edinburgh, on the 6th of January 1566-7, on his return to Berwick, wrote Cecil, on the 9th, "that Darnley lay sick of the *small-pox*, at Glasgow, and that the queen had sent her own physician, to attend upon him[f]." But, Robertson goes on, to talk of Mary's dissimulation, which he proves, by what he presumes to call two of her famous letters to Bothwell, which were written to him, during her stay at Glasgow, and lay open this scene of iniquity, when Bothwell had so far succeeded in his ambitious design of gaining an absolute ascendant over the queen[g]. Thus does the historian romance, in the face of two public records, which prove, that the queen still remained, at Edinburgh, while he makes her write two pretty long letters, from Glasgow.

---

[d] That unpublished letter of Bedford is in the Paper Office.

[e] *Hist.* i. 405-6.

[f] Bedford's unpublished letter is in the Paper Office. Drury, the Marshal of Berwick, on the 23d wrote to Cecil, "that the *small-pox* beginneth to spread, from Glasgow, and that he heard the queen intended to bring Darnley to Edinburgh, *as soon as he should be able to stand the cold air.*" Birrel says, in his *Diary* of the 13th of January, "K. Henry was lying sick, in Glasgow, of the small-pox; but, some said, he had gotten poison." This, then, is the historical fact: He had the small-pox; but, Murray's faction said he was poisoned.

[g] *Ib.* 408.

[h] The Privy Seal Register, and the Register of Signatures, both prove, that the queen remained, at Edinburgh, on the 24th of January, while letters were forged, at Glasgow, for her, on the 22d, 23d, 24th, and 25th, of the same month. Here, is an *alibi*, then, which falsifies Robertson's assertion.

"The two first of her letters to Bothwell," says Laing, "were written, at Glasgow, on Friday night, and Saturday morning[i]." [Friday was the 24th and Saturday the 25th of January, when the queen was, at Edinburgh, or on the road to Glasgow.] From the date of Morton's pardon, on Christmas eve, says Laing, *Bothwell*, and Maitland had attended the queen, till her return to Edinburgh, on January 14th[k]. It is not proved, that Bothwell was at Stirling, during the festivities of the baptism, though the fact may be inferred, from Bedford's letter of the 30th of December, which speaks of Bothwell's assisting, in the solicitation of that pardon: But, when Laing says, that Bothwell was with the queen, at Stirling, on the 2d of January, and in continuation, till the 14th of January, he not only asserts, without proof, but writes contrary to proof: The Privy Council Register evinces, that Bothwell was not, at Stirling, on the 2d of January 1566-7; that Bothwell was not there, on the 10th of January, when an act was passed, for the support of the new ministers, in towns[l]. We thus may perceive, that if Robertson may feign, and Laing may falsify, they can prove any crime, on any person. Thus are we assured, by Murray's journal, "that the queen took her journey towards Glasgow, on the 21st of January 1566-7; and was accompanied with the Earls of Huntley, and Bothwell, to the Kalendar, Lord Livingston's place. On the 23d the queen came to Glasgow;—the Earls of Huntley, and Bothwell, returned, the same night, to Edinburgh[m]." Now, let us trace Bothwell's movements, at that critical period; in order to see, how far, he could have been present, in his attendance upon the queen. He was not with her, at Stirling, on the 2d or 10th of January; as we have just seen. And the probability is, that he was not with the queen, on the 21st of January, 1566-7[n]. We have thus seen, that Bothwell was then, in attendance

---

[i] *Dissert.* i. 27. [k] *Id.*

[l] See the Act of Privy Council, in Keith, 570; Murray, and Maitland, were present, but not Bothwell, who had other objects to attend to. He met Morton, at Whittingham, about the 20th of January, 1566-7, to concert the king's murder.

[m] See the Journal in Anderson's *Col.* ii. 271. Which journal, with a lie, in every line, Mr. Laing undertakes to authenticate. See his *App.* ii. 85.

[n] In the beginning of January 1566-7, says Birrel, "the Earl of Morton, and his complices, were relaxed from the horn [were pardoned], for the slaughter of David Rizius:" They then obtained their pardon, and release; but, they did not immediately quit Berwick. Drury informed Cecil, that they still remained there, on the 10th of January 1566-7. On the 23d of the same month Drury again informed Cecil, "the Lord Morton lieth,

upon Morton, and not upon Mary. Such, then, was the weakness of the proofs of his being a paramour; such the strength of the proofs of his being a conspirator in crimes, which involved the queen's ruin; and such the absurdity, of supposing a woman, and a queen, would write love-letters, and love-sonnets, to a conspirator, who did not woo her to wed; as a powerful faction had engaged to give him the queen, in reward for murdering her husband, *'whether she herself would or would not.'* The date of that interview must be fixed, says Mr. Laing, at the period of her absence, in Glasgow, *when Bothwell was employed to provide* a house for her husband's reception°. The date of that treasonable interview was, obviously, between the 10th and 23d of January 1566-7; as we may learn from Drury's information to Cecil. But, he gives no proof of his assertion, that Bothwell was employed to provide a house, for Darnley's reception. This assertion is an additional proof of what has been already intimated; if Laing be allowed his falsifications, he can easily prove any woman guilty of any crime. He asserts, that Bothwell was employed, when the queen was absent, in Glasgow, to provide a house, for her husband's reception. The employment of Bothwell, on such a business, is asserted, without any authority; and it is asserted falsely: Bothwell knew what house the king would lodge in, without being employed in providing it; as he knew all the queen's movements, from his intimate complotter, Mr. Secretary Maitland. The house, which was probably pointed out, by the queen's physician, as the fittest, for an infirmary, was *the lodging* of *the Provost* of the collegiate church of Kirkafield, which came into possession of Robert Balfour, as Provost, in the room of William Pennycuick, only two months

at the Laird of Whittingham's; where the Lord Bothwell, and Ledington, [Maitland] *of late* came to visit him." Arch. Douglas's letter in Robertson's *App.* ii. 531, shows, why they visited Morton at that time. The confession of Morton, in Bannatyne's *Journal*, avows the same criminal object of their guilty visit, namely, to engage Morton in the conspiracy, for the murder of Darnley. Those three complotters were all *convicted* of the murder of Darnley, and punished: The very conviction of the three evinces a conspiracy; and being thus concerned, in a treasonous conspiracy, the complotters were all equally guilty. The reader now sees, that Bothwell, in the month of January 1566-7, was very differently employed, than in attending upon the queen to Kalendar, or any where else. "The date of that interview must be fixed," says Laing, "at the period of her absence at Glasgow." Bothwell being thus engaged in such a conspiracy could not have acted as *a paramour*, at the same time, in daily attendance on the queen.

° *Dissert.* i. 29.

before [p]. It is a fact incontrovertibly certain, whatever Robertson, and Laing, may say to the contrary, that the queen, and her husband, were reconciled, when she went to bring him to Edinburgh; and Darnley did not want any persuasion to accompany her to Edinburgh; as we know from Drury's information to Cecil [q]. The queen brought him to Edinburgh, on the 31st of January 1566-7; as we know from Birrel's Diary, a better authority, than Buchanan's Diary, for Murray's guilty purpose. Yet, on the base authority of this obvious forgery, does Mr. Laing assert, that the conspirator, Bothwell, whom she met on the road, from Kalendar to Edinburgh, *escorted her and Darnley*, to Edinburgh [r]. The house, says Mr. Laing, was blown up in the air; the dead bodies of the king, and his domestic, were found, at some distance, untouched, by the powder: And he was murdered, by Bothwell, on the 10th of February 1566-7 [s]: And, he might have added, with the concurrence of Morton and Maitland, and the approbation of Murray. But, at the period, when Mr. Laing came before the public with his history, and preliminary dissertation, it was no longer an object of inquiry, who murdered the wretched husband of queen Mary: The three chief conspirators, Morton, Maitland, and Bothwell, *their catspaw*, had been convicted of the murder. Their several convictions were recorded in the archives of Scotland. And they had even been confirmed by successive Parliaments. Yet, those convictions remain all unknown to Dr. Robertson, and Mr. Laing. At least they inquire, think, and write, as if they had never heard of such convictions, whatever might be their importance: Of course, when Laing had finished his Inquiry, he copies Robertson's Dissertation, in deducing two

---

[p] *Privy Seal Reg:* xxxv. 95.

[q] See the App. No. vi. to Darnley's *Mem.* for the proofs of the reconcilement of the king, and queen, during his illness.

[r] *Dissert.* i. 29. The dissertator again asserts, that as the Provost's house must have been provided, under the queen's direction, during her absence, at Glasgow; not by Murray, or Morton; but by one, whom she durst not afterwards accuse of the murder; and Bothwell alone stood in that situation: The malignity of this is obvious, but not the sense: Would not a letter, from the queen's physician, in her name, to Robert Balfour, secure the house, as a temporary infirmary? Would not a letter, from the same physician, to the queen's chamberlain, or housekeeper, induce them to put some furniture, and bathing-vats, into the house? We now see, that Mr. Laing's assertion, and argument, on this subject of Bothwell's providing the Provost's house, are equally groundless, and impertinent.

[s] *Dissert.* i. 36.

conclusions, opposite to each other: The first is, that Murray, and his associates, planned the conspiracy, and instigated Bothwell, as a catspaw; the second, that it was perpetrated, by Bothwell alone, with the queen's consent: He very easily rejects the first; and comes, naturally, to the second, that the murder was planned, and executed, by Bothwell, with the queen's approbation, which conclusion, he adds, is confirmed, by every circumstance, in his preceding detail. This may be true; yet, the queen may be perfectly innocent: For, if his preceding detail consist merely of assertions and insinuations, of fictions and falshoods, of forgeries and frauds, such a detail, only, involves the inquirer in disgrace; but does not fasten guilt upon innocence. Why were not the records of Scotland searched, for those three convictions, of Morton, Maitland, and Bothwell? The answer must be; Because the three recorded convictions demonstrate a concert; and the concert equally evinces a conspiracy of nobles; and what conspiracy of nobles was there, in Scotland, during Mary's reign, of which Murray was not the chief? Why was the important fact of the visit, which was paid, by Bothwell, and Secretary Maitland, to Morton at Whittingham, slurred over, by this inquirer? The answer must be, that Mr. Laing, being an advocate, knew that the meeting of three such men, for the avowed object, of agreeing on the plan of taking off the king, was an act of high treason: and the consultation, at Whittingham, establishes a concert, for the commission of a treason, which involves Murray, and his faction, in that guilty transaction, of which he knew the beginning, approved the progress, and profited, from the end of the whole conspiracy, from the queen's dethronement, and his elevation to rule, in her room. Dr. Robertson undertook to prove the queen's guilt, by showing the great ascendency of Bothwell over the queen's inflammable heart: Is not this very absurd? It has been proved, as a most important fact, that while the queen waited the period of her parturition, in Edinburgh-castle, Bothwell was excluded from it, by Murray's influence over the queen. It has been shown, as another fact of great importance, that an altercation ensued, between Murray and Bothwell, at Alloa, on the 2d of August, in the queen's presence, on the subject of Secretary Maitland's pardon, when Bothwell, again, sunk under Murray's influence. We thus have seen, that Robertson's theory of Bothwell's ascendency over Mary was visionary. The historian, indeed, endeavoured to prove his point, by particular instances of his influence; but, I have shown, by incontrovertible documents, that his several

instances are as false, as his theory is foolish. Yet, Mr. Laing follows the doctor, throughout,

"The devious paths, where wanton fancy leads."

By insinuation and assertion, by the use of fictions and forgeries, by supposing what he ought to prove, and slurring what he cannot disprove, he endeavoured to prove the *constant devoirs of Bothwell to Mary;* while Bothwell was only continuous in his concert with Maitland, Morton, and Murray. I have followed Mr. Laing throughout his various artifices; and have shown the truth of Dryden's remark,

"That little souls on little shifts rely."

I have proved, what all experience verifies, that *the conspirator* and *the courtier* are irreconcileable characters: I have shown Bothwell very busy, as a conspirator, but very inattentive, as a courtier. And when we see him go out, at the head of a thousand horsemen, with the written engagement of the prelates, and nobles, in his pocket, to seize the queen, on the high road; to carry her forcibly to Dunbar-castle; to compel her assent to marry him; in what character are we bound to consider him, as a conspirator, or a courtier? The Parliament of December 1567 answered that question: They found, and adjudged Bothwell guilty, as a traitor, for having committed on the queen's noble person the facts, just mentioned[t]. And that adjudication of Murray's Parliament, upon those several points, precludes the idle theories, of Dr. Robertson, and Mr. Laing, their absurd deductions, and nefarious crimination of an innocent woman: Indeed, when it was once settled, that Murray's faction were the real murderers of Darnley, with Bothwell for their *catspaw*; when it was once established, that Bothwell obtained the queen in marriage, from the artifices, and violences, of Murray's faction, the whole question, with regard to the ascendency of Bothwell over Mary, mounts into the moon.

[t] *Acta Parl.* iii. p. 5-10.

MEMOIR V.

Memoirs of the Regent, Murray.

WHEN James V. was wallowing in the enjoyments of illicit love, little did he reflect, in how many difficulties he would involve his crown, and people, and family, by his guilty conduct: His grandson James VI. lived to see those effects distinctly: And, in his *Basilicon Doron*, he held up, in a striking light, to the intelligent eyes of his son, Henry, how much the royal family had suffered, and the legitimate government had been disgraced, by the ill choice of his great-grandfather, when he followed the pursuits of passion, rather than submit to the dictates of policy.

The most enterprising of the many illegitimate children of James V. was his son, James, by Margaret, the frail daughter of John Lord Erskine: And, this bastard boy was born, in the beginning of the year 1530-1; as we learn from the king's epistle to Paul III.[n] The first provision, which his imprudent father made, for this spurious son, was, by a grant of the Barony and Castle of Tamtallon, that had been already settled on an elder bastard of the same name, from whom it was now taken, as he was better provided for, by the gift of the two several Abbeys of Kelso, and Melrose. It is unnecessary to state how much James V. disgraced himself, and degraded his government, by placing so many bastard boys, at the head of such religious establishments. Yet, in pursuance of that fatal policy, in 1538, he conferred on his son, by

[n] It was dated, at Falkland, on the Kalends of March 1537-8, when his son, James, was said, by him, to be then going in the *seventh* year of his age.

Margaret Erskine, the rich Priory of St. Andrews, while he was not yet seven years of age[x]. This infant Prior, or Commendator, was educated at the university of St. Andrews, where he resided, as a student, at the premature demise of his father, in December 1542[y]. We hear nothing of *his learning*: And we may presume, that he was born with a stronger propensity for action, than for study. On the demise of his father, the young Prior would retreat to his mother's residence, in Lochleven; and she might wish to detain him, from his useful studies, at St. Andrews[z].

Meantime, the seeds of ambition, which nature had scattered in his mind, began to sprout; and he was thus induced, by his propensities, to cultivate useful connections, by engaging some of the ablest, and busiest men, in Scotland, for his particular service: He,

---

[x] The king, at the same time, appointed Alexander Miln, the Abbot of Cambuskenneth, and President of the Court of Session, to administer the spiritual, and temporal concerns of the Priory of St. Andrews, during the non-age of this favourite son. [*Epist. Reg. Scot.* ii. 72. James V. letter to Paul III. dated the 6th June 1540.]

[y] This boy is described, in the College Register, under the year 1544, as "*Dominus Jacobus Stuart, junior, filius quondam illustrissimi Jacobi quinti Scotorum Regis, Cœnobiæ Divi Andreæ, Commendatorius,*" as a student of *three years* standing, who had a right to vote: He took no degree at the university; at least, there is no notice, in the register, of such academic honours, when he was thirteen, or fourteen years of age. In the *Treasurer's Accounts* of September 1538, there is a charge, "for expences disbursed on Lord James, *now Prior of St. Andrews*, for a black velvet coat, for black browderit velvot to begary it; in all worth £25." These articles were sent to St. Andrews. In January 1538-9, there were charged, in the same accounts, for clothes, sarkes, and sheets, to the Lord James, at St. Andrews. In March, and May, there were other furnishings to the two Lord Jameses, at St. Andrews. In April, and May 1540, there were, then, at St. Andrews, four of the king's bastard sons: And there were then sent them to that seat of learning, eight pair of hose, and four black bonnets. In June, there were other articles sent to those boys: There were, moreover, clothes furnished to Thomas Dury, *cuke* to the Lord James, the Prior of St. Andrews. [*Treasurer's Accounts.*]

[z] In the *Treasurer's Accounts* of the 11th of June 1543, there appears a payment to Robert Heriot, messenger; passing with letters, to charge the Laird of Lochleven, the husband of the boys' mother, to deliver the Commendator of St. Andrews. As the law knew nothing of this bastard, it is not easy to discover, by what authority, if not by Abbot Miln, the Governor issued that charge to deliver him.

also, wished to travel; that he might enlarge his views of the world. The Parliament of Hadington, which met, in July 1548, having determined to send the queen to France, for the security of her person, from open violence, and secret machinations, induced the Commendator, to think this a good opportunity, to pass into France, with his accustomed retinue of political associates[a]. Andrew Wood of Largo, who, with his son, John, continued through life, a devoted adherent of the Prior, was, in 1562, appointed the Collector of the Queen's Thirds of Benefices, in Fife, by his present protector, who had at length become the queen's minister[b]: (2) Robert Colville of Cleishe, who was a bastard son of Sir James Colville of Easter Wemyss, and had obtained, from his father, the lands of Cleishe: He again went to France, with the Prior, in 1550; and being a zealous innovator, became the Master of the Household to the Prior; and following him into the field, he was slain, at the siege of Leith, on the 7th of May 1560[c]: (3) Patrick Myrton, the Archdeacon of Aberdeen: (4) Patrick Cockburn, parson of Petcoks, in East Lothian, who was an author by profession; and he again went to France with the Prior, in 1550[d]: (5) John Wood, the vicar of Largo, soon after became the Prior's secretary, in which station, he became notorious, for his attach-

[a] His licence was granted, on the 9th of July 1548, to pass to France, to "the Sculis, and study, and to do other his lawful business." Pitscottie says, that James, the Prior of St. Andrews, went to France with the young queen, in 1548. As perpetual Commendator of the Priory of St. Andrews, he issued a summons, on the 15th of March 1549-50, against Mr. John Rowl, the Prior of Pittenweem, which was a cell, or dependency of the Priory of St. Andrews. [MS. extracts from the *Register of St. Andrews.*]

[b] *Collector's Accounts*, in the Register-house, at Edinburgh.

[c] Robert Colville, who thus sacrificed his life to his zeal of innovation, or his attachment of interest, was the progenitor of the Lord Colville of Ochiltree.

[d] He dedicated his book, "*De Vulgari Sacræ Scripturæ Phrasi,*" to the Prior, in May 1552. Cockburn published some other religious works. But, they were all prohibited by the Pope: Cockburn became the first Protestant minister of Hadington: But, in 1564, and 1565, he was complained of, for not attending the general assemblies of the church. Keith, 535, 540. He was not a thorough-paced reformer.

ment to the Prior, and for his enmity to the Queen; he was appointed, by his master's influence, when Minister of Scotland, one of the Senators of the College of Justice; he was concerned, as we have seen, with Buchanan, in fabricating a declaration, for the attainted Paris, which is disgraceful, for its contradictions, and odious for its falshoods: Wood died by the vengeful hand of the Laird of Reres: (6) Patrick, the Master of Lindsey: He was, however, on the subsequent day, directed, by the Governor, not to depart the kingdom; This person married the sister uterine of the Prior; and succeeding his father John, Lord Lindsey, in 1563, became notorious, for his zeal of innovation, and violence of measures: He was one of the principal assassins of Rizzio, and one of the conspirators, who compelled the queen to resign her crown; and afterwards swore, that she had resigned it, voluntarily.

Such, then, were the political associates of this youthful Prior, who, according to Robertson, soon became disgusted with the indolent retirement of a monastic life, as if he had ever been confined to a monastic life.

Among the respectable persons, who attended the infant queen to France, were the Commendator's grandfather, John Lord Erskine, and his uncle, John Erskine, the Prior of Inchmahom, who became Lord Erskine, Earl of Mar, and, in 1571, Regent of Scotland [e]. We may from those circumstances infer, that the youthful Commendator went, on that occasion, to Paris, on a jaunt of pleasure, more than, for the instruction of the *sculis*.

Those early notices of so distinguished a person are, certainly, instructive; particularly, as he is sometimes confounded, with another bastard brother of the same name, who was Prior of Kelso and Melrose; as we have seen [f].

The Prior, however, seems not to have remained long, at *the*

---

[e] *Privy Seal Reg.* xxii. fol. 16-17.

[f] See Lodge's *Illustrations*, whose mistakes have been copied into other works of a similar kind. This James Stewart died, in September, or October, 1557. [*Privy Seal Reg.* xxix. 7.]

sculis of France. He was, certainly, present, in the Council of the Scotican Church, which was assembled, at Edinburgh, for reformation, in 1549, when he was scarcely eighteen [g].

The Commendator very early felt the movements of love, as well as the incitements of ambition. On the infant daughter of John, the master of Buchan, the Commendator early cast his prudent eyes, as a convenient match: And, upon the 16th of January 1549-50, he entered into a contract of marriage, with James Steuart, the lady's uncle, though her grandfather, the Earl of Buchan, was still alive: This contract was never fulfilled, by the Commendator; but, under its cover, he contrived to deprive the heiress of her inheritance; as we know from the records.

Having assisted, at the Ecclesiastical Council of 1549, in passing some Acts of Reformation; and entered into that contract, he again went to France, in September 1550, when not yet nineteen, "for dressing some affairs of the queen," and her realm [h]. He was, again, accompanied, by various dependents, who could each support him, by their advice, or arms, by their words, or writings. They were: John Rowll, the Prior of Pittenweem; William Lawder of Hatton[i]; Dean John Winram, the Vicar of Don [k]; Mr. John Douglas, the Parson of Newlands, who, under the corrupt regency of Morton, rose, by his arts, to be Archbishop of St. Andrews[l]; Patrick Cockburn, the Parson of Petcokis; David

[g] Wilkins's *Conc.* i. p. 23: and Sir David Dalrymple's *Councils*. Among the abbots, and priors, sat, in that assembly, "*Jacobus Prioratus Ecclesialis Primatialis St. Andreæ, Commendatorius.*"

[h] For that effect, there was a licence granted to him, his servants, and friends, on the 6th of September 1550.

[i] Lawder was a zealous innovator, and a constant adherent of our Prior, through his various conspiracies, and adventures. He engaged in the assassination of Rizzio, and the imprisonment of the queen, for Murray's behoof; and was pardoned, for those treasons, by Murray's influence. [*Privy Seal Reg.* 7th July 1566.]

[k] Winram was an early innovator, while Subprior of St. Andrews; and filled that seat of learning, with his principles.

[l] He was a bastard of Robert Douglas of Langhewton; was originally a *Carmelite friar*; then Parson of Newlands; Chaplain to the Earl of Argyle; an innovator by

Henryson, the Vicar of Rossie; Henry Douglas the younger, of Drumgarland; Alexander Erskine, the son of John, Lord Erskine, and uncle of the Prior; Robert Colville of Cleishe, before mentioned; John Forret; Robert Wynram, in Ratho; James Somerville, in Humby [m]; David Orme; and Bartholomew Livingston. Such, then, were the characters, who accompanied our ambitious Commendator to France, on the queen's affairs [n].

What business the Prior *dressed*, or *undressed*, for his sister, and queen, in France, it is not easy to discover. He, no doubt, acted more for himself than the queen, his sister; as we may infer, from the list of his attendants. He, probably, returned, early, in the subsequent year; as he obtained *legitimation* on the 7th of February 1550-1 [o]. He was again legitimated, owing to whatever cause, in subsequent times, as his prospects opened upon him, when he was incited, by the ambition of others, as well as his own, to grasp at the sceptre [p].

Early in the subsequent year, 1552, he seems to have begun his political connection with England, while he continued his intrigues, in France, for what he could obtain, when he was, scarcely, arrived at that period of life, when young men are allowed by law to act for themselves [q]. He certainly went to France in July 1552, by the route of London, and returned the same way, in the following December [r]. There is reason to believe, from the jealou-

---

habit; and he thus became Rector of the University of St. Andrews, and Archbishop: he died in 1575.

[m] James Somerville, and his two brothers, were engaged in the assassination of Rizzio, for the relief of Murray.

[n] *Privy Seal Reg.* xxiv. fol. 18. [o] *Ib.* xxiv. p. 52. [p] *Id.*

[q] Goodall mentions a treasonable correspondence with England, in 1552, on the authority of the *Cot. Lib. Col.* B. vii. 455, which seems to be mistaken in the reference. [Dalzell's *Sketch of Murray's Life*, 147.] The fact is, however, that there is recorded on the books of the English Privy Council, a warrant, dated the 27th of July 1552, for paying to James Steuart, a hundred marks. On the 5th of the subsequent December, there is recorded another warrant, in the same books, for paying to James Steuart, in the way of imprest, another hundred marks.

[r] On the 13th of September 1552 he witnessed a commission, which was granted,

sies entertained, by the English Court, of that of France, during a year of peace, that the ministers of Edward VI. made use of the youthful Prior, as an unsuspected spy, during his residence at Paris. Considering the Priors' revenue, we might suppose, that he was under no necessity, to receive the wages of corruption; if it were not, that he had many followers, whose needs made constant demands on his accustomed income.

Of such a character, as our Commendator, it is curious to remark, that while he thus received money of England, he began to act as the Reformer of Scotland, at the early age of one-and-twenty, when most youths, some to business, some to pleasure take[a]. But, the ruling passion of the Prior, was ambition, which can stoop to the lowest baseness. It is out of nature, for a young man of twenty-one to commence the Reformer of that Church, from whose establishment, he derived so large an income, such considerable patronage.

We are thus led to investigate, more distinctly, the Prior's real views, either of interest, or ambition. We have seen him going to France, in 1548, when he was, scarcely, seventeen, with a great following of writers, warriors, and politicians; being already ambitious, "with endless rule to dwell." He now went to France, with his sister, and sovereign: In 1550, he again went to France, in the train of the dowager-queen; on pretence of promoting the queen's affairs, with a similar accompaniment of various characters, whom he had attracted, by his gratuities. In 1552, we have detected the Prior, at the age of one-and-twenty, employed, by the ministers of Edward VI., in their secret intrigues, and receiving

---

at Paris, by W. Gordon, the Bishop of Aberdeen, under the name of James Steuart, Prior of St. Andrews. This fact proves, that he was, certainly, at Paris, on the day specified.

[a] Burnet represents, under the year 1552, the state of Scotland to have been divided into two factions: At the head of the one, was Archbishop Hamilton: The other faction, who hated him, and inclined to the Reformation, put the Prior of St. Andrews, at their head. [*Hist. Reform.* ii. 209.]

their money, for his management. We have perceived him, during the same year, already at the head of the Scotish reformers, in opposition to the Archbishop of St. Andrews: And, it is reasonable to ask, whether he placed himself, at the head of such innovators, upon a religious, or an ambitious motive? While he was young, we shall see him busy, both in the Scotican Councils, and in the Scotish Parliament; while he was induced, by love, to court the Countess of Buchan, and by avarice, to swindle her out of her estate. We shall observe him joining with a very few nobles, who were as busy as himself, in the recal of John Knox, one of the most turbulent men of an innovating age, that he might act with them, both as priest, and prophet. When the Reformers, in 1558, assumed a sort of political system, we shall still find the Prior, at the head of them. In the year 1559 when they had made some progress, under Cecil's management, we still see the Prior an active leader, following his ruling passions of interest, and ambition. What his motives were, we may, distinctly, perceive, in Throgmorton's information to Cecil, before mentioned: "I am secretly informed," said that discerning ambassador, to the Secretary, in July 1559, "that there is a party, in Scotland, for placing the Prior of St. Andrews, in the state of Scotland; and that the Prior himself, by all the secret means he can, aspires thereto[t]." Cecil's instructions to Sadler, naturally, followed that information of Throgmorton. Secretary Cecil went, in the subsequent year, to Scotland, to negotiate the treaty of Edinburgh. In writing to Elizabeth, from that city, on the 19th of June 1560, Cecil says;

---

[t] Forbes's *State Papers*, i. 80. Holinshed, i. 367-9, has transcribed, out of Lesley, two letters, from Francis, and Mary, dated, in August 1559, reprehending the Lord James, for his attempts to deprive them of their whole authority, in Scotland. It is apparent, from the above review of his conduct, from his early youth, that he was guilty. In 1559, he had a greater influence, in Scotland, than the queen herself; as he had long dedicated his whole revenues to obtain followers. From the moment, that he placed himself at the head of the innovators, he became dangerous to the queen's legal authority.

"Next to Lethington [Maitland] is the *Lord James*, who, surely, is not unlike either in person, or qualities, to be a king, *soon* [u]." The whole State Papers of that age evince, that Secretary Cecil always meant more, than he expressed. During the same year 1559, as we are assured by Robertson, the regent-queen, publicly, insinuated "that the ambition of the Prior aspired beyond the condition of a subject; and aimed at nothing less than the crown itself[x]; an accusation, so improbable, continues he, gained but little credit:" And thus, the historian was induced, by a very illegitimate logic, to object to the notice in Forbes, and to a whole chapter, in Goodall[y], as well as to *the fact*. Secretary Cecil, who wrote from what he saw, and understood, thought differently from Dr. Robertson, that the Lord James was likely to be *soon* a king. From that epoch, the Lord James became the instrument of Elizabeth, and Cecil, for ruining the Scotish queen. If we carry on our inquiries, on this head, one step further, we shall see, whether Robertson, or Cecil, reasoned most accurately, about the *probabilities* of the Prior's kingship: The attempt of Elizabeth to intercept the Scotish queen's passage to Scotland, after denying her a safe conduct, evinces the purpose of Cecil, and Lord James, to imprison the Scotish queen, that her bastard brother might reign, as a dependent prince. It is moreover an interesting fact, that from the treaty of Edinburgh, on the 5th of July 1560, to the 19th of August 1561, when the queen arrived, the Lord James, the bastard of Scotland, was the virtual sovereign of Scotland, under the corrupt management of Secretary Cecil; having declined

[u] It was in vain, for Elizabeth, seven years afterwards, to talk, that there was an intent discovered to us, before the making of the treaty at Edinburgh, even by Lethington himself, to deprive the Scotish queen of her crown, *which motion we utterly rejected. Cot. Lib. Col.* C. 9. 50. That there was a purpose, which was countenanced, by the English government, to deprive the Scotish queen of her crown, is true; but, it is not true, that Elizabeth checked that purpose, as she rather promoted it.

[x] *Hist. Scot.* i. 202-3. [y] Forbes, i. 80; Goodall, i. ch. iii.

to act, under the commission, which the queen had transmitted to Scotland, for establishing a legitimate government.

It is now necessary to trace some other points of the Prior's progress to his elevation, as sovereign, by a brief retrospection, from the year 1552, when he appeared at the head of the innovators. We see him active, in the Parliament of 1554, as the chief of the reformers; supporting the queen-regent's pretensions[z]. This party, and the queen-regent, seem to have understood each other: She procured the return of the assassins of Cardinal Beaton, and favoured their present views; and they flattered her passions, and supported her government. After the death of John Rowll, in 1555, the Lord James obtained the Priory of Pittenweem[a]. He acquired, during the same year, the rich priory of Mascou, in France[b]: He appears, afterwards, to have obtained a bishoprick, in the same kingdom, as he seemed to be sincere, in promoting the measures of France[c]. It is obvious, that the Prior was thus studious, to obtain those ecclesiastical promotions, in France, under the authority of the Pope, while the Prior was active, in undermining the Papal authority in Scotland[d].

The duplicity, which was so fashionable, in that religious age, and of which the Prior was so great an adept, may be illustrated,

---

[z] *Acta Parl.* 597.

[a] *Privy Seal Reg.* 14th April 1555.

[b] Goodall, i. 153.

[c] Hardwicke's *State Pap.* i. 158: Throgmorton the English Ambassador, at Paris, wrote to Elizabeth, on the 29th November 1560: "Whereas, the Lord James, Bastard of Scotland, had, out of a bishoprick, and abbey, of this country, a yearly pension of 2,500 crowns; he hath made suit to this king, and queen, to have not only the arrearages of the same, since it hath been staid; but also the continuation thereof. The queen (Mary) hath made him this answer, that like as this his falling, from his duty, hath been the cause of the stay thereof, and deserveth his exemption, from the same; so his merits again, towards her, is the only way to purchase her favour, and the said pension; which, if he accomplish, according to the trust she hath of him, he shall not only be sure of his satisfaction, but also of all the good favour, that may be showed him, besides his pension, whether he dispose himself, to be *ecclesiastical*, or *temporal*."

[d] *Ib.* under 1559-60.

from a very different transaction; His contract of marriage with the Countess of Buchan, as we have seen, was never fulfilled: But, from that *vantage-ground*, the Commendator saw, distinctly, the condition, both of the lady, who was then an infant, and of the earldom of Buchan, which was burdened with the debts of an old, and improvident Earl. As early as 1556, the Commendator adopted the purpose of acquiring this earldom, without marrying the heiress, to whom he was engaged: His mode of making this acquisition, was, by buying up the mortgages, or other securities, on this encumbered property. In 1556, he acquired, from the heiress, and her tutor, Ogilvie of Boyne, assignations of the rights of redeeming those securities; and upon those assignations, he obtained confirmatory grants of the crown, which gave him a complete right to the assigned property [e]. On the death of the old Earl, in 1562, his grand-daughter, Christian, succeeded to the earldom of Buchan, without the estate, which the Prior had secured, for himself: And she was married, in 1563, to the uterine brother of the Prior, Robert, the *second* son of Robert Douglas of Lochleven, who had married Margaret, the Prior's mother, by James V. That the heiress of Buchan had been swindled out of her marriage, and her estates, by the Commendator, is now quite evident, from the public records [f].

Amidst the various, and continued pretences of the reformers, during the years 1558, 1559, 1560, the Prior had frequent occasions, to display his perseverance, and his artifices. But, the first attempt, which appears, of the Lord James, by the help of Knox, to impose a forgery on the credulous world, was, in October 1559 [g]. We may thus see, that the *Reformer*, and the *Prior*,

---

[e] See the *App.* No. v. [f] *Id.*

[g] Elizabeth's notorious agent, Randolph, under the feigned name of Barnaby, wrote, from Hamilton, on the 12th of October 1559, to Sadler, and Croft, at Berwick; as we learn, from Sadler's *State Papers*, i. 497-9: "The Prior of St. Andrews sent a letter to the Earl of Arran, that he received out of France; containing many news of the preparations against Scotland, with advice to seek aid of England: which,

were fully aware of the convenient policy of making *a letter*, or a *lie*, serve the appropriate purpose of the fraudful day, which,

"the well-invented tale, for truth imparts."

But, what was the imposition of such a letter, which was thus easily detected, to the fraud of the treaty of Edinburgh, 6th July 1560, "by which, according to Robertson, the sovereign authority was almost transferred into the hands of the congregation[h]?" Yet, the historian does not stop, to inquire, whether a transfer, so extraordinary, was ever made, or if powers, to make such a treaty, were ever given. There was, indeed, a treaty, of that date made, at Edinburgh, between Elizabeth, on the one part, and Francis and Mary, on the other[i]: But, that such a treaty was never made with the Scotish insurgents, is quite clear: The treaty, which was intimated, by Robertson, as we have seen above, is a gross forgery; as plainly appears, after every research, that can be made, on this important subject[k]: The French Ambassadors had no authority to make any treaty with the Scotch insurgents[l]: They refused, at Edinburgh, the place of negotiation, to make any treaty: And yet a treaty is produced, at last, accompanied with every mark, that can denote a forgery[m]. The Lord James, with Secretary Maitland, were the instruments, who imposed this fraud on a believing people, in concurrence with Secretary Cecil; who were all very capable of any baseness, for a political purpose: While Cecil continued, in Scotland, he regarded Maitland, the Secretary, to be the only statesman, who was capable of providing, for the burden of foresight.

I guess, to savour too much of Knox's style, to come from France, *though it will serve to good purpose.*"

[h] *Hist.* i. 241. [i] See it in Rymer, xv. and in Leonard, ii.

[k] See Whitaker's *Vindication of Mary's Innocence*, iii. 40-3; 463-93-515; and the *App.* to this Memoir, No. iii.

[l] See their full powers, in Rym. *Fœd.* xv. p. 581: It was dated the 2d of July 1560.

[m] See the *App.* to this Memoir, No. iii.

The Lord James continued his activity of design, to promote his own interests, throughout the busy year 1560 [n]. The several points, which the feigned treaty contained, were carried into effect, without ratification: And above all, a Parliament was called, by the Lord James's influences, without the queen's knowledge, and sat, without her authority: But, the managing persons insisted, that the treaty justified such constitutional irregularities, and necessity confirmed the convention, though the queen had not ratified the treaty, and, without ratification, no treaty is valid. A great variety of laws were now passed, which a heated people demanded, and an assembly of zealots enacted [o]: Sir James Sandilands was sent with the proceedings of such a convention to France; to ask for the queen's ratification of measures, whereof she had no previous knowledge [p]; the queen refused to ratify such proceedings, and regarded the messenger with great jealousy, while she knew, that a splendid embassage had been sent, by the same convention, to Elizabeth. Robertson thought it too late, now, to call in question the legality of the convention of August 1560; as if it were ever too late, to rectify error, and to ascertain truth. The Lord James continued, from his temperament, to be one of the most active of those lords, who assumed the government of Scotland, during that anarchical period. The state of this country, and people, justifies the observation of Elizabeth, who had contributed to bring it into such a state, that "the Scots were *populus sine capite* [q]."

[n] When the English troops, which were at Leith, marched off, in pursuance of the Treaty of Edinburgh, the Lord James accompanied them to Berwick. Keith, 445.

[o] See a list of them in Keith, 151; and they have been recently printed, among the *Acta Parliamentorum*; not, that such laws had any force in themselves, but were legalized, by a subsequent Parliament.

[p] See his instructions, *Ib. App.* 91, and the Hardwicke *State Papers.*

[q] Hardwicke's *State Pap.* i. 165: In the same letter, it is said, "As far as I can learn among the Scotish men, [at London] if their alliance be not more established, than some here would;—they shall be constrained, to save their necks, and to win the French favour again, to turn their coats, which doth not a little grieve them." *Ib.* 169.

Elizabeth, on that occasion, refused, to accept, as her husband, Lord Arran, who was offered to her choice, by that convention; and who, as early as 1554, had been destined, by his father, to be the husband of the infant queen. Amidst the intrigues, which were in agitation, both at London, and Paris, died on the 5th of December 1560, Francis II. the queen's husband, and matrimonial king of Scots, one of the gentlest of sovereigns.

The lords, who ruled Scotland, without authority, with the Lord James, at their head, called together a convention of such barons, as were nearest at hand, on the 15th of January 1560-1; to consider of the effects of that event[r]. The convention is said to have appointed the Lord James, to repair to the queen, in order to persuade her, to return to Scotland[s]. From the State papers we thus see, that the Lord James had no such authority, as Knox supposed, and said: And, from those State papers, we also perceive, that the chiefs of the nobility were, equally, willing, to receive Elizabeth, as Mary, or any potentate, that would gratify best their ambition, or their avarice. The Lord James, as we are informed, by Randolph, was in no hurry to depart, "till he see what will be done, at the ensuing Parliament[t]." Amidst the intrigues of that busy agent, to secure an English interest, in Scotland, arrived various persons, from Mary. Bothwell, also, arrived from Paris, "to work, according to Randolph, what mischief he can," to Ran-

---

[r] Keith, 157.

[s] Knox, 283: There remains, in the Paper Office, a letter from the Lord James to Cecil, dated the 7th of February 1560-1; desiring a passport; "being ordered by the *nobility, and council, to our sovereign*, for declaration of our *duty*, and *devotion*, to her highness." Such, then, were his powers, which he could shape into any form. There is also a letter, on that occasion, from Argyle; offering *his services* to *queen Elizabeth*. There is a similar letter, from the Duke of Chattelherauld, in favour of Lord James; and offering his services to queen Elizabeth. There was a similar letter, from Morton to Cecil, in favour of Lord James, with an offer of his services. What traitors!

[t] The convention was appointed, by the ruling powers, to meet the 21st of May, next. Keith, 157.

dolph's designs of serving Elizabeth against Mary: There came from Mary, at the same time, a commission to seven personages, or any three of them, to convene, and hold a Parliament, in her name[u]. But, owing to the uncertainty, and intrigues of the moment, this royal commission appears not to have been adopted, by the heterogeneous commissioners. In the meantime, Maitland, who was then the ablest statesman, in Scotland, acted, in some sort, as Elizabeth's Secretary, in Scotland; and basely informed Cecil of every measure, both at Edinburgh, and Paris[x].

There was another party, consisting of prelates, and nobles, of great consequence, who seem to have stood aloof, from those, who acted more, for Elizabeth, than Mary, and who sent Lesley, the Bishop elect of Ross, to offer their duties, and advice, to their sovereign[y]. The zeal of Lesley seems to have outrun the policy of Lord James: Lesley arrived a day before his rival, at Vitrie, where he was well received by the queen; where he communicated to her the state of her kingdom; and offered her the duties of those, who had sent him: The Lord James arrived the following day, who told her, with his usual duplicity, "that he came only to pay his duty to her, as his sovereign lady, without any commission whatsoever, relating to any thing else[z]." He asked for himself, however, the Earldom of Murray, which the queen declined to give, till her return. He appears to have then gained an ascendency over his sovereign, under which she seems to have acted, during all his treasons. He forgot to inform her of what, he had an interest to conceal, that Maitland, who had betrayed her mother,

[u] The royal commissioners were: The Duke, the Earl of Argyle, the Earl of Huntley, the Earl of Bothwell, the Lord James, the Earl of Athole, and the Bishop of St. Andrews.

[x] His correspondence with Cecil, which remains, in the Paper Office, is the record of his guilt.

[y] The persons, who are named, by Keith, 157, were: The Archbishop of St. Andrews, the Bishops of Aberdeen, and Murray, Ross, and the Earls of Huntley, Crawford, Athole, and Sutherland.

[z] See the queen's letter, in Keith, 163, from Nancy, the 22d of April 1561.

when regent, was now acting, with Cecil, as Secretary, in Scotland; that the duke, and other nobles, had offered their services to Elizabeth; that the party, with which he had long acted, was much more attached to Elizabeth, than attached to her, their sovereign[a]. Lord James departed, from Paris, on the 4th of May 1561, on his return, through London, to Edinburgh[b]. The expectant Earl, as he passed through London, gave Cecil, and Elizabeth, notice of the queen's purpose, to return to her own kingdom, by sea, and advised them, to intercept her voyage[c]. The queen had before applied to Elizabeth for pasports, which were, expressly, refused, before her whole court; in order to show her purpose to the world: And she sent out her ships, on the pretence of "cleansing the seas of pirates;" but with the real design of intercepting the Scotish queen[d]; in which purpose, as it applied to the Lord James, Secretary Maitland, and the Earl of Morton, was a treacherous act of high treason.

The queen, as she arrived safe, was well received; and as she escaped the English ships, was congratulated, by Elizabeth, who, with appropriate duplicity, assured the Scotish queen, "that she had not, in the least, attempted to intercept her passing into her own kingdom[e]." There were public rejoicings, at Edinburgh, for her arrival: Buchanan, with lucky malice, praised her much,

[a] The State Papers of 1560-1 evince those truths; and see Keith, 1566-7.

[b] *Ib.* 164. But, he brought no commission, from Mary, to govern for her, as Buchanan, falsely, asserts: And, the convention of May 1561 sat, audaciously, under his influence, without any authority, from their legitimate sovereign.

[c] Camden, 53: For, James, the bastard, returning, very lately, through England, had given secret warning to intercept her: Camden adds, Lethington gave the same advice; *as he wrote:* What he wrote still remains, in the Cotton Library, and the Paper Office; and his letters to Cecil are the proofs of his criminality.

[d] The refusal of the passports, both to D'Oysel, and to the queen, is, universally, acknowledged, and is admitted, by Cecil. Hardwicke's *State Papers*, i. 172. Keith, 169-70-71. See the *App.* to this Mem. No. iii. for additional proofs of that nefarious transaction, in opposition to Robertson's apology, for Cecil's artifices, and Elizabeth's enmity.

[e] Keith, 181.

saith worthy Keith, that he might dispraise her much more. But, these did not conceal from her what she had lost, for ever, and what remained to her, at present. She found herself obliged, as well, by the advice, she had received, from her uncles, as by her own reflections, to throw herself into the arms of those treacherous men, who would willingly have consigned, her, for life, to the safe custody of her *good*, but *guilty* cousin. The Lord James was appointed her avowed *minion;* her Privy Counsellors were somewhat mixed; but, the whole *officers of state*, or men of business, except the Earl of Huntley, the Chancellor, were the mere creatures of the avowed minion[f]. "Under this new government, as Bishop Lesley observes, the queen's brother, the Lord James, was the sole favourite, and disposer of every thing: It was even conjectured, he adds, by several people, that he had favoured a design, to possess himself of the crown[g]." The queen now made a short progress, through Stirlingshire, and Fife, to Perth, attended, by the Lord James, who chose not, perhaps, to interpose his influence, in protecting her, from the insult, and adulation, which were offered

---

[f] See the list of the Privy Council, in Keith, 187. In that list, were the Treasurer, the Secretary, the Clerk of Register, and the Justice-clerk, who were all the *mere minions of the minion.* But, what proof is there of this circumstance? This Privy Council was settled, on the 6th of September, 1561: On the 9th of March 1565-6, all *those minions of the minion*, who was then expatriated, for his rebellion, with the Earl of Morton, who had been appointed Chancellor, in the room of the murdered Huntley, at their head, attacked the queen's palace, with force, and arms; assassinated Rizzio, her private secretary, in her presence; and arrested her person, for the relief of *the minion:* Than this, can there be a more glaring proof of their being the basest minions of a minion?

[g] Keith, 188. And this thing, said Keith, is not only related by that author, who may however be looked upon, as too much prejudiced against the Prior; but, the same thing is likewise taken notice of, by the English Resident, Mr. Randolph. The Prior, Lord James, was now *thirty:* and his whole life had been a proof of his ambitious purposes. His nature, and education, prompted his ambitious spirit: As early as 1552, he, who had no religion, put himself at the head of *the religion:* In 1558, 1559, and 1560, he was, in fact, king, under the management of Cecil, and Elizabeth: and, as minion, he now, in September 1561, acted, without control.

to her, by people, who had much religion, without manners, or morals [h].

As early, as October 1561, measures were thought of, for punishing, or restraining *the thieves, and robbers, on the borders:* For this important end, a solemn court of justice was ordered, to be held, at Jedburgh, for trying those delinquents: And the Lord James was appointed, no doubt, by his own suggestion, to be *the Lord Justice* [i]; he was, in fact, as we see, in the Privy Council Register, appointed the queen's *Lieutenant*, on the Borders, with more than royal power. Attended, by the Judges, he proceeded, with the whole power of the southern shires, to hold the Justice-court, at Jedburgh, on the 13th of November 1561. We are informed of the result, by Randolph's letter to Cecil, dated the 3d of December: "Of the Lord James's doings, at Jedburgh, and of the meeting, at Kelso, with the Lord Gray, and Sir John Forster, I doubt not but your honour hath been advertised: He burnt many houses; he hanged twenty-two, or twenty-three; and he brought to this town forty, or fifty, of which there are twenty-three in the Castle of Edinburgh: The chiefest of all the clans, on the borders, are come in, to take what order, it pleaseth the queen, to appoint; to stay theft, in time to come [k]." But, these were not the whole doings of the Lord James, as Lieutenant on the borders; as we know, moreover, from Randolph: The Lieutenant made an inroad

---

[h] Keith, 189-90-1-93: The Lord James was, at that period, when he was only thirty, described by Randolph, in this manner: "The Lord James dealeth, according to his nature, rudely, homely, and bluntly." *Ib.* 196.

[i] *Ib.* 190-1-2: Keith is studious, on that occasion, to publish records, in order to show, how grossly Buchanan, and Knox, two established liars, have *deborded* from the truth; have departed from the fact: Buchanan, and Knox, had no purpose to tell the truth; the object of both being to degrade the queen, by *calumniation.*

[k] This long dispatch is in Keith, 203-8: At the close is added, what may be deemed very significant of the Lord James's feelings of ambition: "The Lord James desireth me to present unto your honour his hearty commendations, under these words; *That he is not yet grown so great,* as he should *misken you*;" forget what he owes to you. *Ib.*

to Hawick, where he performed judicial exploits, which rivalled the above, in severity; and would not disparage *Jefferies's campaign*, in the West, during the subsequent times of rigour, in England[1].

The Lord James, who was thus superior to the queen, in influence, had now displayed his power; who, as queen's lieutenant, had quieted the border turbulence, with an iron rod; who, as reformer, had courted the new clergy, at the expense of the old; now thought fit, to secure something still more beneficial, for himself. He had, for some years, cast his eager eyes on the Earldom of Murray: When he went into the northern shires, to reform the churches, in August 1560, he had seen how much could be obtained, by a person of his pretensions: Yet, he did not, perhaps, very accurately know, that the object of his cupidity belonged to others; though he saw, and envied, the extensive jurisdictions, and personal influence, of the Earl of Huntley.

This great noble was born, in 1510, the son of John, the apparent heir of Alexander, the fourth earl, by Jane, the natural daughter of James IV. He was bred with James V.; and succeeded his grandfather, in 1524: He sat in the Parliaments of 1531, and of 1532, while he was yet under age; and at two-and-twenty, he was called into the Privy Council, during the year 1535. When James V went abroad, to marry Magdalene of France, in 1537, Huntley was one of the commissioners, with the two archbishops, who were left to govern Scotland. He now ranked, in the Parliament, as the premier Earl of Scotland. In 1542, Huntley, the king's sister's son, commanded on the borders. In March 1542-3, Huntley again appeared, in Parliament, at the head of the Earls, when James Hamilton, the Earl of Arran, was declared to be the second person, in the kingdom; and, he was appointed one of the

[1] See the Appendix to this Memoir, No. vi. Randolph wrote to Cecil, from Edinburgh, on the 11th of November 1561: "The Lord James is now Lieutenant on the borders, *sole minion of the queen, likely soon to be Earl of Murray*, and Treasurer of Scotland." Keith, 202.

Council, for assisting the regent Arran. After the assassination of Cardinal Beaton, by the abominable plot, which was managed in England, by the reformer Wishart, Huntley was appointed Chancellor, by an Act of Privy Council, in June 1546. At the fatal battle of Pinkie, on the 10th of September 1547, he commanded the reserve of the Scotish army; and fighting bravely, was taken prisoner, and carried into England. Being now solicited, to promote the marriage of his queen to Edward VI., he said: "He did not so much mislike the match, as the way of wooing." Having made his escape, from England, in 1548, he again acted, as Chancellor. As a reward, for all his services, and sufferings, Huntley, who was already lord-lieutenant of the northern parts, obtained a grant, on the 13th of February 1548-9, of the earldom of Murray, and lordship of Abernethy [m]. He accompanied the queen-dowager into France, in 1550, where he obtained the order of St. Michael; and in April 1554, he, effectually, served her, when she sought the regency, from the feeble hands of Arran, the governor. Yet, in the same year, did she, by the advice of her French servants, call Huntley in question, for not performing impossibilities, in subduing some of the Highland clans: On that occasion, he probably resigned his charter of Murray [n]. By disgusting such a noble, she did not know how much she lost. He continued Chancellor, however, and served her throughout the difficult times, which ensued; owing partly to the Lord James, who promoted disturbance; in order that, he might guide the storm. On her deathbed, in June 1560, she is said, by those, who wrote deliberate

[m] Crawford's *Officers of State*, 85, which quotes the charter in the public archives. Gordon, in his *History of the Gordons*, 1726, printed this charter in his App. No. xx. which has nevertheless remained quite unknown to the Scotish historians; and therein Robertson might have read it, if he had been an historian of much reading. What more was wanting to give Huntley a complete title to the earldom of Murray, but the queen's confirmation, when she came of age? He assumed the title of Earl of Murray.

[n] See the Appendix to this Mem. No. vii.

falsehood, to have blamed Huntley, for his advices; but, she ought to have confessed her own misconduct: She began her corrupt career, by procuring pardons, for the assassins of Cardinal Beaton, an offence so great, as to admit of no pardon; she proceeded, to court the innovators, with the Lord James, at their head, who only supported her measures, to betray her, by carrying special points: On the contrary, her duty required, that she should support the laws of the land, with the constitutional aid of the principal nobles: Argyle, Lord James, and Secretary Maitland, only remained, with her, long enough, to betray her; and then pretended to remove her, from the regency, which she had derived, from the three estates, a power, irreversible, by faction[o]. When the death of Francis II. became known, in Scotland, however Cecil endeavoured to conceal it, Huntley, and other nobles, sent Lesley, to offer the homage of their services. When the queen returned, she appointed Huntley of her Privy Council, and returned to his faithful custody the great seal[p]; thus trying, perhaps, to act upon that balance of parties, which is so salutary, when discreetly effected, yet, so dangerous, when unfitly used.

We are now arrived, at that epoch, in the life of Huntley, when the all-grasping minion, privately, obtained, from the easy faith of the queen, the earldom of Murray, and lordship of Abernethy, with their valuable accompaniments of men, and revenue[q]. The

---

[o] She took the great seal, from Huntley, and gave the keeping of it to Rubie, a French advocate, while he continued Chancellor. Huntley is said to have entered into an association with the Duke of Chattelherauld, to drive out such foreigners. [*Officers of State*, 85.] The queen-regent did not, sufficiently, advert, that the safety of her government, and the protection of her person, depended on the attachment, and aid, of the great nobles, who were the strong pillars of a falling state. On the arrival of Mary, though she put her sceptre into the hands, which were stretched out to seize it, she intrusted the great seal to Huntley, who had held it so long, in the difficult times of her lengthened minority.

[p] Keith, 187: Crawf. *Officers of State*, 85.

[q] *Privy Seal Reg.* xxxi. 45-6: This grant was made, under the privy seal, because the Earl of Huntley held the great seal; and the grant was meant to be con-

minion seems himself to have been aware, that the queen's grant, under the privy seal, did not make a perfect title. He had, probably, not yet formed his plan, for taking possession of the earldom of Murray: And he, therefore, solicited, and, as minion, easily, obtained, from the queen's facility, on the 10th of February 1561-2, a grant, under the privy seal, of the earldom of Mar, which was claimed, from ancient times, and titles, by his relation, Lord Erskine: But, intending to seize difficulty, by the forelock, he openly assumed the title of *Earl of Mar*, though his grant, under the privy seal, was but an insufficient warrant[r]. He, perhaps, only meant, by this conduct, to conceal his real design on the earldom of Murray.

We are thus conducted to the question, whether, at the epoch of those grants, in January 1561-2, there existed a plot, by Huntley, against Lord James; or whether Lord James had not formed a plot against the Earl of Huntley. Here, then, is one of those problematical points, which so disfigure the history of Scotland, in that factious, and fanatical age. The contemporaneous historians, indeed, Buchanan, and Knox, are so positive, that there was a plot, by Huntley, against the Lord James, that Mad. de Keralio; with all her research, and readiness of observation, speaks, familiarly, of *Huntley's plot*. The historian of Mary, with his usual prejudice, has raised a vast fabric of charges against Huntley, without the slightest foundation[s]. The records, and state papers, evince a con-

---

cealed; as indeed, it was, even, from Randolph, the Prior's friend. Five days after, the queen granted him letters of legitimation, though he had been legitimated eleven years before, as we have already seen. *Ib.* 2; *Ib.* xxiv. 52. Like other impostors, the Lord James seems to have had a strong passion, for making surety double sure.

[r] *Privy Seal Reg.* xxxi. 2.

[s] Robertson's *Hist. Scot.* Edit. 1787, i. 292-3. The historian was so ignorant, as not to know, of the grant to Huntley in February 1548-9, which has been already mentioned: He was so idle, as not to have examined the statement of the several grants of the earldom of Murray to the Lord James, which were stated, in the Additional Sutherland Case, 1770, by the late Lord Hailes. Doctor Robertson states, "that Buchanan's account of this whole transaction appears to be so

spiracy, by the queen's minion, against an innocent noble; but, there is no evidence of a conspiracy, by Huntley, the Chancellor, against her corrupt minister.

At the epoch of the queen's return, in August 1561, Huntley, no doubt, stood at the head of the loyal party, who opposed the ambitious, and corrupt purposes of the Commendator, who had long practised fraud, and now aimed at violence; and it was the duty of the Chancellor, to warn the queen of her own insecurity, and the danger of the state[t]. Yes; said Randolph to Cecil; I hear, that the Earl of Huntley tickleth her [the queen] in the ear, with *some untruths*[u];" and Buchanan calls the warnings of Huntley *calumnies*, after events had verified the intimations of truth. That honourable conduct of Huntley drew upon him the enmity of the Commendator, who never ceased to pursue whosoever dared to oppose his practices, till that ambitious man had obtained their ruin[x].

---

void of truth, and even of probability, as to deserve no serious examination:" Yet has the Doctor taken the greatest part of his story of this transaction, from Buchanan's account, which he thus stigmatizes as void of truth; while he avoids quoting Buchanan, for his authority: The whole account of the queen, and her minion's expedition into the north, for ruining Huntley, which was given, by the Doctor, is chiefly taken from Buchanan, and Knox, two of Huntley's bitterest enemies, and two of the greatest liars, that ever disgraced history; and is a tissue of falsehood, and misrepresentation, that is woven with an affectation of apparent impartiality. But, the records, and state papers, shall decide, between the Doctor's statements, and the real truth. See the Appendix to this Memoir, No. VII.

[t] Randolph wrote to Cecil, on the 24th of September 1561: "It is said, that the Earl of Huntley, and the Lord James greatly discord;" and in the same letter, Randolph adds; "It is suspected, that the Lord James seeketh too much *his own advancement*, which hitherto little appeareth, for any thing that ever he received, worth a groat." Keith, 191. He had pretty early received the rich priory of St. Andrews, and the priory of Pittenweem, in Scotland, with two benefices in France of great value.

[u] Letter of the 24th of October 1561. [Keith, 195.]

[x] The following is a genuine picture of Lord James's conduct, which was drawn, by the convention of Nobles, and Prelates, which sat, at Dumbarton, in September 1568:—"Shortly after our sovereign's homecoming from the realm of France into

The Earl of Mar was too much practised in affairs, not to know the value of secrecy: He carefully concealed, that he had obtained a grant of the earldom of Murray, as early as the 30th of January 1561-2. He, studiously, watched, for an opportunity of taking possession of the country, and of overreaching Huntley, in the details of law, and the practice of affairs. An event happened, on the 17th of June 1562, which completely answered his insidious purpose. Sir John Gordon, Huntley's third son, and James Ogilvie quarrelled, and fought, in the street of Edinburgh, about their private property, when Ogilvie was wounded in the arm, and several of Gordon's servants, were, also, wounded, in this hasty scuffle of spirited men[y]. The magistrates promptly interposed; imprisoned the parties; and sent notice to the queen, at Stirling. Murray heard, with great satisfaction, of this event. He saw Huntley's son, in his power, and he resolved, that both should feel his vengeance. He easily obtained the queen's authority, to repair to Edinburgh; in order to direct what should be done in this weighty affair[z]. By his direction, Ogilvie and his associates were set at liberty: But, Sir John Gordon was committed to the common gaol; wherein, he remained a month; and then made his

---

Scotland, the Earl of Murray having respect then, and as appears yet, by his proceedings, to place himself in the government of this realm, and to usurp this kingdom, by his counsel, caused the queen's majesty become so subject unto him, as her grace had been a pupil; in such sort, that her highness's subjects had not access unto her grace, to propone their own causes, or to receive answer thereof, but by him, alone; so that he was recognised, as prince only, and her majesty but a shadow. And, whoever presumed to find fault with his abuses, he did pursue them, with such cruelty, that some of the principal men he caused to be put to death; destroying their children, houses, and memory; and caused others to be banished the realm, and put other noblemen in prison, and detained them there." Such, then, is the genuine picture of the Commendator's tyranny, as drawn by seven earls, twelve lords of parliament, eight bishops, and eighteen abbots. Goodall, ii. 352-57-8.

[y] Doctor Robertson calls Ogilvie, Lord Ogilvie; but, this person was only James Ogilvie of Cardel, a son of the late Alexander Ogilvie of Findlater.

[z] See the queen's letter to the magistrates of Edinburgh, dated the 28th of June 1562, in Keith, 223.

escape, from the rigours of Mar, his father, Huntley, being confined to his house, in the north, with some bodily infirmity[a]. The Earl of Mar made his own use of this incident. Sir John was summoned to appear in the Justice-court, at Aberdeen, on the 31st of August, then next, to answer for his contempt. And, the queen was, artfully, induced, to make a journey into the north, on the pretence of distributing justice, but with the real, though concealed, object, of putting the Earl of Mar in possession of the earldom of Murray, and of crushing Huntley, and his power. Robertson considers Sir John Gordon's breach of the peace, as the greatest insult, which had been offered to government, since the queen's return: but, he might have excepted the tumult, which was raised, in the queen's palace, on the first Sunday, after her arrival, when she went into the chapel-royal, to worship God, in her own form: The Doctor declares, that a great example was necessary to be made: But, he forgot, that the Commendator, when the queen's lieutenant on the borders, made two such examples, at Jedburgh, and at Hawick, as would not disparage *Jefferies's campaign*[b].

The journey of Mary into the north was suddenly resolved on,

---

[a] Randolph's letter to Cecil of the 1st of August, in the Paper Office.

[b] Doctor Robertson, as he knew not of the private grant of the earldom of Murray to the Commendator of St. Andrews, as well as the right of Huntley, and his wife, to the same earldom, which was, plainly, violated, by that grant, founds his vindication of the Commendator, Earl of Mar, on the supposition, that he had no object in carrying the queen to the north, and no business himself, so far north, as Tarnway, and Inverness: And, the Doctor, being unable to assign any reasonable cause, for her expedition, says, the queen *happened* to set out on a progress into the northern parts; and took the occasion to hold a Justice-court, at Aberdeen. Thus it is, to write history, without a knowledge of facts; and to rely, on the lies of Buchanan, and the fictions of Knox! The historian is so absurd, as to quote letters, from the ambassador Randolph, and Secretary Maitland, which were written *after the death* of Huntley, as proofs of a prior *conspiracy of Huntley* against the Lord James, *before* that corrupt minion brought the queen into the north, for putting him in possession of his earldom, under an unfit grant, and *before* the artifices of that minion had forced Huntley into an unwilling resistance to his illegal measures.

soon after Sir John Gordon's escape; as we see nothing hinted of such an excursion, in Randolph's letters to Cecil of the 1st and 4th of August, when the queen seemed, wholly, bent on the very different journey of a meeting with her good cousin, the English queen. Yet, was the resolution taken of the northern journey, before the 10th of August; as we may learn, from Randolph's correspondence[c]. From the nature of such a country, we now know, that she did not *happen* to think of such a progress; and from Randolph, we learn, that it was premeditated, though not by herself: Her ministers told her, as other princes are told, by their servants, that those northern parts of her kingdom were greatly disturbed, and could not be settled, without her own presence. And, she would, naturally, say, in return, if that were so, she would make such a journey, for such an end, though she was perplexed, with more interesting matters.

While those preparations were made, for that odious journey of 250 miles, through a rugged country, and wretched roads, the queen remained, at Edinburgh, from the first, to the eleventh, of August; She now set out, for Stirling, where, she remained, till the 18th of August[d]. To Stirling was she accompanied, by Randolph, as a spy; and to Stirling was she followed, by Knox, as her evil genius: Here, she learned, that Elizabeth was preparing forces against her relations, in France; that many of her own subjects were ready to join the English army, for the wages of corrup-

---

[c] On that day, Randolph informed Cecil: "From Stirling, the queen taketh her journey, as far north, as Inverness, the farthest part of Moray, a terrible journey, both for horse, and man, the countries so poor, and the victuals so scarce. It is her will, that I shall attend upon her thither. It is thought, that it will be a voyage, of two months, or more. It is rather *devised by herself*, than greatly approved by her Council." Thus far Randolph's letter to Cecil, of the 10th of August, in the Paper Office. But, who told Randolph all this? The minion, Earl of Mar, and Secretary Maitland, who meant to impose upon him, and, through Randolph, upon the English court. The secret was carefully kept, from Randolph, as well as the object of the journey; as the grant of the earldom of Murray, in January 1561-2.

[d] From a MS. Diary of the queen's journey.

tion: And, here, had she cause to suspect, that Knox had been prompted, to follow her, with his usual perseverance of religious zeal [e].

After all these mortifications, she set out, on the 18th of August, for Inverness, not on a private progress, but accompanied, with her ministers, her officers of law, and, above all, by the Earl of Mar, who was now expectant Earl of Moray, with his trusty myrmidons: But, she did not arrive, at Aberdeen, till the 27th of the same month [f]. Here, the queen remained, with her whole court, till the 1st of September: And here, did the Earl and Countess of Huntley come, to offer the queen the homage of their respect; and to invite her to Huntley-castle, where they had made great preparations, for her entertainment; but, the queen refused such an invitation, from such personages, by the advice of her counsellors, as we may infer, from Randolph's letter to Cecil: Here, they had committed no crime, and given no offence; but, the Earl of Mar, with his usual artifice, and falsehood, had induced

---

[e] Randolph's unpublished letter to Cecil of the 16th of August, from Stirling, in the Paper Office.

[f] From Old Aberdeen Randolph wrote to Cecil, on the 31st of August: "The queen, in her progress, is now come, as far, as Old Aberdeen: The most part of her noblemen are presently with her, the Duke excepted, with whom she is now well pleased, and the Earl of Mar, and he, reconciled. Huntley is here, not well, in his prince's favour; and how well that man doth deserve, your honour knoweth, by his upright dealing with all men, that he hath to do with: The queen will not *yet* grant that she will go into his house, though it be within three miles of her way, and the *fairest, in this country*: That purpose of hers, I know, will be broken; for so, her Council findeth it expedient." This letter is in the Paper Office. All this while, Huntley was the Chancellor, and a Privy Counsellor. But, we hear nothing of any plot, either against the queen, or the Earl of Mar; though Mary must have had strange stories told her, to treat such a man, as Huntley, the friend of her father, the supporter of her youth, in such a manner; as we have learned, from the wretched prejudice of Randolph. When the charges against Huntley were put, by Murray, into legal form, nothing was stated against him, previous to the 31st of August, current. [Act of Restoration of Huntley's family.] This proves, the non-existence of any plot, by him, before that date.

the queen to believe, that so great an officer, as the Chancellor, was implicated in his son's guilt; and had even conceived a plot to seize the queen's person, and to marry her to one of his sons. But, if the queen would believe this, of such a man, her credulity must have been, without bounds. Sir John Gordon appeared, in the Justice-court, at Aberdeen, on the 31st of August, as required; surrendered himself to justice; and, on the morrow, was ordered to enter himself a prisoner, in Stirling-castle [g]. But, as he was not tried, where justice would have been done, and Stirling-castle was kept, by Lord Erskine, the Earl of Mar's uncle, Sir John did not obey that rigorous decision of his avowed enemies.

The queen, who appears to be thus acting, from improper advice, though contrary to her accustomed courtesy, set out, from Aberdeen, on the 1st of September; and, in order to avoid Huntley's residence, went, by Rothiemay, Grange, Balvenie, and Elgin, to Tarnway, on the 10th, without hearing of any disturbance, where none existed. Here, on the 10th of September, was there another proceeding of the Privy Council, against Sir John Gordon; charging him to surrender into the queen's hands, his houses of Findlater, and Auchendown, on pain of treason [h]. In that council, sat, for the last time, the Commendator, Earl of Mar, who now produced his privy patent, for the Earldom of Moray, and then assumed the title of Earl of Murray. If this title had been as legal, as it was informal; yet, Huntley having adverse pretensions; the Lord James, even with the aid of the queen's presence, could not lawfully take possession of the earldom, and mansion-house, without some legal proceeding: The conduct of Lord James, thus burdened with insufficient titles, was as violent, as it was illegal; and the queen contributing, by her presence, to this violence, and to that illegality, lessened her own dignity, and lost her many friends.

---

[g] *Privy Council Reg.*; Keith, 225.

[h] Keith, 225. There had been, hitherto, no proceeding against Huntley, though he was, no doubt, mortified, by this persevering prosecution against his son, for a hasty scuffle, in the streets of Edinburgh, aggravated, indeed, by his subsequent conduct.

On the 11th of September, the queen set out, from Tarnway, for Inverness; where, she remained but a few days; the only purpose of her minister being, to wrest the Castle, from Huntley's heir, to whom the keeping of it belonged, hereditarily, as well as the Sheriff-ship of Inverness-shire[i]. The Castle was taken, from the Governor, promptly:—He was neither allowed time, for consideration, nor opportunity for obtaining the consent of the Castellan, for surrendering his trust: The Castle was taken, by force, and the Captain was, instantly, hanged, under very questionable authority[k]. If the Lord Gordon had a legal title; then the queen herself could not dispossess him, without some legal process: this grant being made to Lord Gordon, while she was under age; yet, she could not recal it, when she came to the proper age, for that effect; but in a legal mode: The demanding of possession, by an armed force, in time of peace, was illegal, and unwarrantable, in the queen herself, much more in her minion, the Earl of Murray, who commanded that force, and was guilty of an outrageous murder, of the Governor, who had no proper notice of any legitimate demand.

The queen, who was praised, for her manhood, in this military exploit, immediately left Inverness; and slept, on the 15th of Sep-

[i] The Sheriffship of Inverness-shire, and the custody of the Castle, with several lands, appertaining to it, belonged, hereditarily, to Huntley, without any connection with the Earldom of Moray. In 1556, Huntley vested those hereditary offices in his son, George, Lord Gordon, who obtained a charter for them, from the queen, upon his father's resignation, on the 7th of August 1556. [*Privy Council Reg.* xxviii. 33.]

[k] Dr. Robertson, who writes too much from *supposition*, and too little from *facts*, states, that *Huntley's disobedience, in refusing to surrender the Castle of Inverness, was the cause of the queen giving the Earldom of Moray to the Earl of Mar.* What ignorance! Huntley did not hold the Castle of Inverness; as it was held, under a legal title, by Lord Gordon: And, neither the one, nor the other, refused, to surrender the castle; as neither was present, and neither knew, that the surrender would be asked. As soon as Huntley heard, that the castle was summoned, he sent, with all diligence, to the Governor; desiring him to surrender it; but, the Captain, or Governor, Alexander Gordon, was hanged, before he could receive this direction, from Huntley, on his son's behalf. [Anderson's *MS. Hist. Scot.* iii. 37.]

tember, at Kilravock; whence, on her return, she proceeded, on the morrow, to Tarnway; and, on the 17th, she went to Spynie-castle, the seat of the Bishop of Moray. From this episcopal palace of ancient note, Randolph wrote, on the 18th, a dispatch to Cecil; in which he says; "It may please your honour to know, that the queen hath given the Earldom of Moray to the Earl of Mar; it is both more honourable, and greater in profit, than the other: He is, now, no more *Mar*, but *Murray*[1]." It is evident, from Randolph's mode of writing, that the grant of the Earldom of Moray had been concealed from him, and the world, till the avowal of it, at Tarnway; and even the date of it had been so concealed, as to induce Randolph to suppose, it had been then made.

The queen, on her progress, of return, left Spynie, on the 19th of September; and going by the way of Cullen, she arrived, at Aberdeen, on the 22d, where she remained till the 5th of November. If we compare the conduct of the rival Earls, it will appear, that nothing illegal, or unfit, had been done, by Huntley: When he came, with his Countess, to offer their duty to the queen, and to invite her to their castle; the refusal of this courtesy to such eminent persons was an outrage, for which the queen's minister was answerable: The entry into his messuage of

[1] The above dispatch is in the Paper Office. In a subsequent letter, from Randolph to Cecil, of the 30th of September, he states the great loss, which Huntley sustained, by the grant to Mar; and the great power of men, and money, which the Earl of Murray acquired by it: He added, that the country is pleasant, but the place, called Tarnway, was ruinous, saving *the house*, which is very fair, and large, built, like many, that I have seen, in England. *Id.* Though Murray relinquished the Earldom of Mar to his relations, the Erskines; yet, he contrived to strip that earldom of its principal estates: He obtained on the 22d December 1564, from the queen, to him, and his heirs, in fee-firm, the extensive lordships of Braemar, Cromar, and Strathdee, which belonged to this Earldom of Mar. [*Privy Seal Reg.* xxxii.] And this grant was ratified, in Parliament, on the 19th of April 1567. [*Acta Parl.* 555-7.] The Earldom of Mar, after being thus plundered, by the queen's minion, was granted to his uncle, John, Lord Erskine, on the 22d of June 1565. [*Privy Seal Reg.* xxxiii. p. 70.]

Tarnway, without any notice to him, though the queen was present, was an illegal insult offered to Huntley: And the attack on the Castle of Inverness was an outrage to Lord Gordon, while the hanging of his officer was a murder, by the queen's minion; the law not allowing any person to be put to death, but by legal means: The whole conduct of the queen's minister, on that occasion, was outrageous, and illegal, while the conduct of Huntley, hitherto, was circumspect, as well as lawful. The queen might now have returned to her capital, having done every thing, that was fit, and much, that was unfit: But, she was retained, at Aberdeen, by her counsellors, during six weeks; to enable her violent minister, to inflict his vengeance on Huntley; and she, thereby, partook of his moral guilt.

But, there was no other means of imputing criminality to Huntley, than by implicating him in the guilt of his son: And his offence, originally, was only a breach of the peace, which was aggravated into a contempt of the queen's authority [m]. For effecting Huntley's ruin, Murray, and Maitland, studiously endeavoured, to entrap him into some act of disobedience to the queen's commands, whether fit, or unfit: Having learned, that Huntley had,

[m] On the 30th of September Randolph wrote, from Aberdeen, to Cecil: "*It is determined, out of hand,* if it be possible, that the Earl of Huntley shall either submit himself, and deliver his disobedient son, John, in whose name all his pageants have been wrought, or *utterly to use all force against him, for the subversion of his house, for ever:*" For this purpose, the queen remaineth, in this town, a good space; being the most convenient: For this cause, she hath levied 120 harquebusiers, to use, as she findeth occasion; and hath, also, sent into Lothian, and Fife, for such as she intendeth to employ; as the master of Lindsay, Grange, and Ormiston." This letter is in the Paper Office. He afterwards informed Cecil of the queen's purpose to hold Justice-courts, in which great severity would be used against Huntley's friends: And, that more troops were to be raised, for crushing Huntley. [*Id.*] We here see sufficient evidence of the design of Murray, and his faction, having the queen, in leading strings, to crush Huntley. Again: the queen was implicated, in the moral guilt, of a government so outrageously violent, and altogether tyrannous. If she was so credulous as to believe what was told her by Murray, and Maitland, against Huntley, her credulity, in such a case, was her crime.

at his Castle, a cannon, that had been given him, by the Regent Arran, while he was Lieutenant in the north, the minister sent Captain Hay to charge Huntley, in the queen's name, to deliver this cannon, and to carry it four miles, from his house. Though this cannon was dismounted, and the time allowed was short, yet did he, punctually, obey the queen's order: And he sent a dutiful message to the queen, "that, not only that, which was her own, but, also, his body, and goods, were *at her grace's command;*" that he found it strange, however, he should be so hardly dealt with, for his son's offences, whereunto he was never privy, nor they, in his power to correct; that for the taking of those houses which were held against her grace, he would be the first, who would hazard his body, if her grace would give him such a charge.

The soothing messages of Huntley, and his wife, who appears to have been a woman of address, were sent in vain. The queen's minion had devoted Huntley, and his friends, to destruction. Additional soldiers were raised; and the adherents of Lord James, during the revolutionary scenes of 1558, and 1559, were summoned, to assist, in crushing the most eminent earl of the land. As the plan, for entrapping Huntley into treason, had failed, owing to Huntley's caution, another project was attempted, on the 9th of October, for seizing his Castle, and himself; which, also, failed, from his own flight, and his wife's management: She opened the doors of the Castle to the besiegers, who could find nothing suspicious, within the walls, nor discover any thing, that could afford matter of proof[n]. Huntley was not only careful to avoid offence himself; but he also endeavoured to frustrate the minion's malice, to implicate him in his son's disobedience: As Sir John had been charged to surrender his Castles of Findlater, and Auchendown, Huntley caused those Castles to be evacuated, and sent the keys of them, on the 8th of October, to Aberdeen, by one Kear, a trusty friend. The keys were now offered to Murray,

[n] Randolph's letter to Cecil of the 12th of October 1562, in the Paper Office.

to Secretary Maitland, to the queen, who all refused them; saying that other means had been provided, for obtaining possession of the Castles. Murray even caused Kear, who brought the keys, with his brother, to be committed to prison, as suspected persons[o]. We may now perceive, that nothing could save Huntley, from ruin. As he had retired to Badenach, to avoid those snares, Murray caused an Ordinance of Council to be passed, on the 15th of October, that if George, Earl of Huntley, do not appear, on the morrow, the 16th of October, to answer such things, as shall be laid to his charge, he shall be denounced rebel, for his contempt, and his houses shall be seized[p]. He was, accordingly, denounced rebel, on the 17th of October, for not doing what it was impossible for him to do[q]. The Countess, hearing of such measures, repaired towards Aberdeen, on the 20th of October; in order to present herself to the queen, and to supplicate justice, for her husband: But, when she had advanced, within two miles of the city, she was stopped, by the gentleman, whom she had sent forward, to request an audience; and who informed her, that the queen would not see her: The Countess now returned to her Castle, loaded with sorrow[r]. After this outrage to that dignified woman, the Earl sent a message to the Court; offering to enter himself into ward, till his cause should be tried, by the whole nobility;

[o] *Id.* This refusal of the keys took place, on the same morning, that the parties were sent to seize Huntley-castle. In the same letter of the 12th of October, Randolph informed Cecil of the purpose, *to have Huntley openly denounced rebel,* which would prevent him from having succour of any of his adherents; and that way they [the ministers] think utterly to overthrow him. Randolph also stated, that there were practices already in hand, *for getting Huntley betrayed, by those in whom he trusted;* and he concluded, that in the Highlands, to which Huntley had retired, there were no want of *good fellows,* to be instruments of any such purpose. [*Id.*]

[p] Keith, 226.

[q] Randolph's letter of the 23d of October, in which he intimates, that Huntley was then, in Badenach, two days journey, from Aberdeen.

[r] Randolph's letter to Cecil of the 23d of October, in the Paper Office.

but, a proposition, so consistent with justice, was, also, refused[s]. In all this we see the very definition of tyranny, which was natural, in Murray, and his faction, but, absurd in the queen, who was acting against her own interest, and character.

As soon as Huntley had been thus denounced a rebel, Murray called out additional forces; and he let loose upon the devoted victim, the clans of Forbes, Lesley, Grant, Mackintosh, and other enemies of the Earl; to pursue him, and his adherents, with fire, and sword[t]. When Huntley was informed of those events, denouncing him a rebel, for not appearing at Aberdeen, he returned to his Castle, and assembling his friends, and adherents, he advanced southward, on the 28th of October, and encamped on the hill of Fare, lying about fifteen miles, from Aberdeen[u]. Murray, hearing of Huntley's advance, marched out, as the queen's lieutenant, with 2000 well-appointed men; and surrounded the devoted Earl, with his adherents. Huntley surrendered himself a prisoner; as did his son, John, the author of all the mischief, according to

[s] Anderson's *MS. Hist. Scot.* iii. 37.

[t] Randolph's letter to Cecil, of the 23d of October, in the Paper Office.

[u] Murray, and his faction, gave out, that Huntley's purpose was, to march into Aberdeen, and seize the queen's person; but, so absurd a story cannot be true: For, she was surrounded, by a large body of men, with some of the best warriors, in Scotland; while Huntley had not more than 500 supporters, who had been hastily collected, to do him honour, rather than to fight; as Randolph, who had two servants on the field, expressly, states, in his letter of the 2d of November, in the Paper Office: In this, he corrected his former letter of the 28th of October. Doctor Robertson, who never saw those instructive letters, grossly, misrepresents the whole circumstances of that affair, at Corrichie: He says, Huntley advanced with a considerable force towards Aberdeen, and filled the queen's *small court*, with the *utmost consternation*; and that Murray had only a handful of men, in whom he could confide; but, by his steady courage, and prudent conduct, gained a miraculous victory: For the assertion of Murray's having only a *handful of men*, he quotes Keith, 320, in which, there is not one word of *the force*, at Corrichie, on either side; the force, there spoken of, is what the queen had about her, *two months before*, on her first progress into the North, not on her return, at Aberdeen, after new troops had been raised, and old ones summoned, to that premeditated, and barbarous scene.

Randolph; and, also, a younger son, Adam, a boy of seventeen. About 120 of Huntley's followers were slain[x]; and as many were taken prisoners, of whom many were executed. The scene of this slaughter was a hollow, which was called, in the ancient language, *Corrichie*, in the hill of Fare. "The Earl of Huntley," says Randolph, "after he was taken without either blow, or stroke, being set upon horseback, before him, that was his taker, suddenly falleth, from his horse, stark dead, without a word, that he ever spoke, after he was upon horseback[y]. The earl's body was thrown across panniers; and so carried to Aberdeen, where it was laid in the Tolbooth[z]."

Huntley's two sons, Sir John, and Adam, were carried prisoners into Aberdeen; where, a few days after, Sir John was tried, and condemned in a Justice-court, on the 2d of November; and, immediately, beheaded. Adam would have shared the same fate; but the queen revolted at shedding the blood of a youth, whose only offence was, in being with his father, without knowin , perhaps, his purpose[a]: Adam Gordon lived, to be one of the most gallant, and successful commanders, who struggled, in many a desperate field, to keep alive the last spark of the queen's authority, in Scotland. Well might she revolt, when she saw her authority, name, and person, employed, in carrying on such illegal, and barbarous proceedings, as Scotland had, scarcely, ever seen before; as such unprincipled miscreants had not till now been admitted, to rule this unhappy land: In the effluxion of five guilty years, the same rulers offered similar outrages to the queen herself, by assassinating her Secretary Rizzio, in her presence; by murdering

---

[x] Randolph states, that many of Huntley's men *threw away their spears*, and endeavoured to escape; but Murray, and his company intercepted them, drove them back, and slew about 120, and took, as many more; and he adds, that *on Murray's side there was not one man slain*, but several were hurt. Letters to Cecil, in the Paper Office, 28th October, and 2d November 1562.

[y] Letter to Cecil, 28th October. [z] Knox, 320.

[a] Keith, 228; Pitscottie, 215: This last writer adds, that other five gentlemen of the name of Gordon, were hanged, at Aberdeen, on the 30th of October.

her husband, Darnley, in her metropolis; by dethroning, and expelling herself, from her kingdom. The Earl of Sutherland, who had attended the queen, during her progress, seeing the purpose of Murray, by means of the queen's acquiescence, in what was told her, by ministers, who had an interest to deceive her, to crush his relation, Huntley, is supposed to have communicated some intelligence of his danger: This conduct being discovered, by finding, or forging, a letter of Sutherland, he was forfeited, with Huntley, on the 28th of May 1563; and he only saved his life, by fleeing, from a country, which was no longer safe for honourable men. It is a memorable fact, that Huntley, and Sutherland, were two of those nobles, who had sent Bishop Lesley to France, with offers of duty, and services, to the queen; while Murray, Maitland, and other considerable men, offered their duties, and services, to Elizabeth.

From this great example, it is quite apparent, that Murray might have easily ruined any other family, in Scotland, by carrying, with him, the queen, and her government, with Secretary Maitland, to propagate falsehoods, and to pen forgeries, appropriate to the object. While these proceedings were thus carrying on, at Aberdeen, for ruining Huntley, and his family, and his friends, his eldest son, Lord Gordon, who had married the Duke of Chatelherault's daughter, lived with his father-in-law, at Hamilton[b]. But, in order to effect Murray's whole purpose of "the utter subversion of Huntley's house, for ever," it was essential, that his innocent heir should be involved in his father's ruin; and, unluckily, for Lord Gordon, he held, in his own right, several *heritable* offices, and valuable lands, which Murray coveted, and could only obtain, by Lord Gordon's forfeiture[c]. Lord Gordon was, there-

[b] Randolph's letters.

[c] After that guilty proceeding, the Earl of Murray acquired, from the queen, who could refuse him nothing, but her sceptre, and Darnley, a grant of the heritable office of Sheriff of Inverness-shire, with the custody of the Castle of Inverness, and various lands, which were attached to the Castle, on the 6th of May 1563. [*Privy Seal Reg.* xxxi. 94-5.]

fore, arrested, and committed to prison, after the queen's return to Edinburgh. Here, was he confined, during several months; and without summons, or any warning, was he produced, in a Justice-court, which was held, by Argyle, the Justice-general, the brother-in-law of Murray, on the 8th of February 1562-3. In this court, was he refused the aid of counsel, or a copy of his charge, or communication with his friends, nor was he allowed to make objections to the jury, or witnesses: And he was of course found guilty of concealing the treasons of his father and brother, which they had never conceived; he was condemned, as in cases of treason, *at the queen's pleasure* [d]. As the queen would not give her authority for his execution, on such a sentence, he was confined, in Dunbar-castle, till Murray's baneful influence, with the queen, no longer disgraced her government [e]. On that event, when the queen wanted help, Lord Gordon was liberated; restored to the estates, and the honours of his father; his forfeiture was formally rescinded, by a healing Parliament [f].

---

[d] The Earl of Huntley, and the chiefs of the several families of Gordon, were tried in Parliament, during the following May: But, the injustice of Lord Gordon's trial was too apparent, for the approbation of a Parliament, which was wholly under Murray's influence. [*Parl. Record*, 774.]

[e] Gordon of Straloch states, that Lord Gordon, narrowly, escaped an attempt of Murray to have him executed, in the Castle of Dunbar, by means of a forged warrant, under the queen's hand, for his execution: This relation was given him, by his father, Gordon of Pitherg, who lived, at the time, and was the confident, and trustee of Lord Gordon. Crawford's *Chancellors*, 91. A similar statement is given, from an old MS. by Dr. Patrick Anderson, in his *MS. History of Scotland*, iii. 38. This same story is told, at full length, in Marjorybanks's *Annals of Scotland*, 14-16.

[f] When the queen was returning, from her disgraceful progress, into the north, she was met, at Dundee, on the 12th of November, by the Duke of Chatelherauld, who came to solicit her favour to Lord Gordon, his daughter's husband: But, the solicitation of the Duke, the second person, in Scotland, and the heir presumptive to the crown, by the advice of the queen's minion, was refused: He was even ordered himself to arrest Lord Gordon, and deliver him to prison. The Duke, fearing the consequences of disobeying such an order, brought his son-in-law to Edinburgh, on the 28th of November, when the prisoner was committed to the Castle of Edinburgh.

On the fall of Huntley, armed men were sent, to take possession of his castles, and to rifle his property. The plunder was collected at Aberdeen; and thence shipped to Leith: In the Treasurer's accounts of November 1562, there is a charge of 30*l.* 7*s.* for the freight of that unhallowed cargo. The numerous friends, and vassals, of Huntley, were prosecuted, and fined to an enormous degree. A great many escheats were granted to those, who had assisted, in crushing that unfortunate noble: and much other forfeited property was sold to the friends of the accused persons, as we may learn, from the Privy Seal record, which contains many remissions, which were sold, for high prices. When the queen, and her chief advisers, left Aberdeen, on the 5th of November 1562, Richardson, the Treasurer, MacGill, the Clerk-register, Spens, the Advocate, and Wishart, the Comptroller, were left behind, to levy amercements, to settle escheats, and to compound, for remissions[s]. The queen, and her court, returned, by Dunottar, Arbroath, Dundee, where the Duke met her, Perth, and to Stirling, on the 18th of November: She proceeded thence to Linlithgow, on the 21st; and on the 22d, she arrived, at Edinburgh: As the queen had set out, from Stirling, on the 18th of August, and returned to it, on the 18th of November, she had thus spent three guilty months, on her disgraceful progress. Randolph's dispatches, from the 10th of August to the 18th of November, indeed, evince, that Murray, and Maitland, deluded the queen into such a progress; and de-

Keith, 229-31; Randolph's Letters; Pitscottie, 215; Knox, 231. Anderson's *MS. Hist. Scot.* iii. 38. The policy of this order is pretty apparent: Murray looked on the Duke, as second person, in the kingdom, and heir presumptive of the crown, with an evil eye: Though he had conciliated the Duke, when he set out to ruin Huntley, who was connected, by marriage, with the Duke, the minion never lost sight of his purpose to acquire the crown. [Goodall, ii. 358.] Had the Duke failed in executing that malicious order, Murray had been supplied with a cause of denouncing him a rebel, and pursuing him to his ruin.

[s] Within a short period, there were levied on a wretched people, for amercements, and escheats, 3,409*l.* 15*s.*; and for the sale of remissions, 3,542*l.* 6*s.* 8*d.*; and much more was levied, after the period of this account, in the Treasurer's books.

ceived both her, and Randolph, as to Huntley's conduct, and intentions: They even deceived Randolph, as to the queen's conduct, upon whom they artfully cast the odium of the oppressive, and illegal measures, by which Huntley was driven to his ruin[h]. But, Buchanan, and Knox, who considered Huntley's overthrow, as a praiseworthy achievement, gave the credit of so great an action to the Earl of Murray, and, mention the queen, as repining at his success.

On the 1st of November 1562, four days after Huntley's death, his bowels were taken out, and his body was salted; he was conveyed, by sea, to Leith, and was kept in Holyrood-house, for several months. On the 26th of May, the Parliament, which was to adjudge Huntley's body, was opened, when Murray carried the sword[i]. On the 28th, the dead body of Huntley was produced before the Parliament, and sentence of forfeiture was pronounced against him. The Countess, his widow, with the spirit of her rank, appeared before the Parliament, desired to be heard, by counsel, and protested against the proceedings: But, her request, and her protest, were equally disregarded[k]. On the same day, sentence of forfeiture was pronounced against John, Earl of Suther-

[h] It appears, that artifice was used, to throw upon the queen the disgrace, attending the cruel, and illegal treatment of Lord Gordon. Knox, 321, says, "that the Earl of Murray laboured, at the queen's hand, for the safety of Lord Gordon's life, which hardly was granted:" This representation is not only contrary to the fact; but is inconsistent with the real characters of the queen, and her minister; as she was as much distinguished for her clemency, as Murray was, for his cruelty, to all those, who stood in the way of his ambition, or avarice.

[i] Keith, 239. The Countess of Huntley had come to Edinburgh, a month before, to solicit the queen; but, was debarred access to her: Randolph, on the 1st of May 1563, wrote to Cecil: "The Lady Huntley can get neither access, nor hope, in her suit." *Ib.* 239.

[k] The Act of Huntley's attainder was repealed, by the Parliament of April 1567. See the history of the trial, in *absence*, and *after death*, in Hume's *Crim. Law*, ii. 455-59. The English law of treason was extended to Scotland, by the Act of Union, which, virtually, repealed those abominable proceedings; whereby any one might be made a traitor against his will.

land, and against eleven barons, and gentlemen, of the surname of Gordon. The same Parliament, which, under the influence of Murray, pronounced those forfeitures, also repealed, under the same influence, the forfeitures of four of the principal assassins of Cardinal Beaton: William Kirkaldie of Grange, Henry Balnavis, John Leslie, and Alexander Whitlaw, were the guilty persons, who were now saved harmless, from prosecution, for one of the basest of crimes[l]. These assassins were devoted adherents of Murray, and very fit instruments, for his blackest designs. Kirkaldie was one of the most active agents of Murray, in crushing Huntley; and Murray induced the queen to reward him, with a pension of 250*l.* a year: He afterwards engaged, in Murray's conspiracy, for seizing the queen and Darnley, in July 1565: He went into rebellion with Murray, and was pardoned by the queen, and restored to his pension, by Murray's persuasion: He was one of the most enterprising conspirators, for dethroning a beneficent queen; and acted, at the same time, as the spy of the Earl of Bedford, while Elizabeth's Lieutenant on the borders[m]: Grange died upon the gallows. Henry Balnavis was, also, one of the assassins of Beaton, and had a pension from Henry, and Edward, in reward: He was, by Murray's influence, made one of the Lords of Session, in February 1562-3; and he continued to serve Murray's purpose, throughout his career of conspiracy, and crime: He was one of the assessors, who went into England, with his guilty protector, to accuse the queen; for which service, he was rewarded, by a gift of 300*l.*; as we know, from the Treasurer's books. John Leslie, who first gave the Cardinal a deadly stab, was, also, rewarded, by Henry VIII., with a pension of 125*l.* a year, for his service; and was now made secure, by statute. Alexander Whitlaw appears not upon Henry's pension-list; though, as it should seem,

---

[l] Knox, 330.

[m] Kirkaldie's father, and himself, had both pensions, from Henry VIII., and Edward VI., for their agency in Beaton's assassination; as we have already seen, from the English Register of Privy Council.

he was worthy of that honour; as he was one of the assassins of Rizzio. But, the most important act of this Parliament, was the Act of Oblivion, for all the offences done, from the 6th of March 1558-9 to the 1st of September 1561, which completely covered the treasonous proceedings of Murray, and his guilty faction, during the rebellious years 1559, 1560, and 1561[n].

The contests, which ensued, for a time, between Murray and Knox, concerning the neglect of religion, and its professors, says Robertson, is a strong proof of the attachment of that statesman to the queen: But, Murray's attachment to Elizabeth was greater, and his attachment to himself was still more[o]. About that period, Murray is said to have made a proposal to the queen, which points very plainly to his ultimate views: He advised her, at the age of one-and-twenty to make a settlement of the crown, on four families of the name of Steuart, who should succeed, intimating himself, as one of them. But, the fact is, that the crown had been already settled on the Duke of Chattelherauld, failing the queen, and her issue: It was, however, an age of projects, which did not weigh objections, in very nice scales: And, nothing was too diffi-

[n] See the *Stat. Book.* So jealous were the leaders of the Parliament of 1563, on that head of *oblivion*, for the passed, that the Estates were induced to enact, that it should not be lawful, for any future Parliament, to derogate, from this Act of Oblivion. At the Parliament of 1563, little was done, for religion; though penalties were enforced on adultery, and *witchcraft*, *sorcerie*, and *necromancie*.

[o] Randolph wrote to Cecil, on the 26th of June 1563, "not to open suspected letters; but, to send them to the Lord of Murray, of whose service the Queen of England is sure: The Queen of Scots, he adds, being desirous to free [from prison] the Archbishop of St. Andrews, could not, although she wept, to see her power resisted, and opposed." Keith, 241. On the 19th of May, preceding, Murray caused the queen to imprison the Archbishop, the Prior of Whithern, and others, for saying mass, at the preceding Easter. This, like much of Murray's administration, was a mere act of tyranny; as there was no law to justify such an outrage: The ancient religion still remained under the authority of law; and the new religion was merely tolerated: The Acts of the Convention of 1560 were not laws, till they were confirmed, by the Parliament of December 1567.

cult, for the daring of Murray, who was supported, as we have seen, by Cecil, and favoured by Elizabeth[p].

The proceedings of the Parliament, in May 1563, did not, by any means, satisfy Knox, who saw too little done, for the Kirkmen, and too much for the nobles[q]. Knox certainly expected, that the queen's minister would have obtained from her, and the Parliament, an Act, for establishing *the religion*, and abolishing every other worship: But, such an act would have suppressed the queen's own mode of worship, and involved many interests, in great confusion. Disappointed, in those objects, Knox vented his rage, by railing bitterly against the queen's ministers, who had been the *leaders of the Congregation;* and accused them of apostasy, servility, and selfishness. In consequence of this intemperance, Murray, and Knox, did not speak, familiarly, during eighteen months. In this falling out of two men, who both courted popularity, by different means, for different ends, Doctor Robertson pretends to find a strong proof of Murray's attachment to the queen, while his real affections were with Elizabeth, on his own account; as we may learn from the intimations of Randolph[r]. During this rupture, however, Murray, constantly, protected Knox, and his followers; as they were useful to himself, how much soever their irreligious conduct was offensive to a religious queen. The followers of Knox broke into the queen's chapel, at Holyrood-house, during divine service: Two of the leaders, in this outrage, were summoned to answer, for their misconduct: And Knox, meantime, sent out circular letters, to summon his disciples, from all parts, to Edinburgh, on the day, which was appointed for their trial. This was deemed, by the Privy Council, to be treason, in Knox, who had taken upon

---

[p] See the *App.* to this Memoir, No. viii.

[q] In that Parliament, which sat under the influence of Murray, who obtained, from it, a confirmation of his earldom, as well as the Act of Oblivion, [Knox, 330.] Knox says, sarcastically, "that the Act of Oblivion was passed, as some *lords had interest therein.*" *Ib.* 331.

[r] Knox, 331; Keith, 241.

him to convoke the queen's subjects, without authority: He was, for this treasonable offence, ordered to be tried: But, as Murray was then, in the north, the trial was postponed till his return. Every influence was used, privately, to induce Knox to acknowledge his offence, and to appeal to the queen's clemency; but, every effort was used, in vain, to move Knox's obstinacy. He even justified what he had done, by the example of Murray, and the chief congregationalists, during late times, which the recent Act of Oblivion had covered, with forgiveness. He was again summoned before the Privy Council, consisting, chiefly, of his own disciples, with Murray, at their head, when he was acquitted of the imputed treason, which he avowed before them[s]. This absurd acquittal induced Doctor Robertson to remark, that it showed "the low condition, to which the royal authority was then sunk; and the impunity, with which subjects might invade those rights of the crown, that are now held sacred." The Doctor cannot be much praised, for the constitutional doctrines, that obscure, rather than enlighten his history. There was, plainly, no want of royal authority, when Huntley, and his sons, were hunted down, by every stretch of undue authority. The acquittal of Knox, guilty, as he was, of treason, on that occasion, and of sedition every day, only evinces, that this fanatical anarch was now protected, by Murray, as he had long been, by Cecil; being a constant thorn, in the queen's side. Randolph wrote Cecil, on the 27th of February 1563-4, two months after that acquittal, "that there was some unkindness, between the queen, and Murray, about Knox, whose part he taketh[t]."

---

[s] Knox, 338-43; Keith, 244-5.

[t] When Secretary Maitland had exhausted his reasoning, and his spirits, on this wayward prophet, he retired, in disgust: But, the minion, Murray, remained, wishing to converse with Knox, on the state of the court: But, the preacher cut the statesman short; as Knox wished not to be troubled with such a subject, from so selfish a personage. [Knox, 339.] In this manner, then, do we see the towering ambition of Murray, who was ever double in his words, and meaning, *paulter in a double*

Meantime, Murray, with his two bastard brothers[u], went into the north, during October 1563, to hold Justice-courts, within his earldom; to take possession of the estates, which, we have seen, recently, granted to each of them, from the spoils of the Gordons; to display their new power; and to defy the ghost of the blood-boltered Huntley. It is curious to remark, that Murray, on that occasion, adjudged, on the classic ground of Inverness, two of *the weird-sisters*, who appeared to another ambitious minion, which also grasped at the stained sceptre of the *gracious* Duncan[x]. Murray had another object of importance, in the north, which was equally fraudful, the obtaining of additional titles to the injured Countess of Buchan's estates.

The year 1564 was, chiefly, distinguished, for the disingenuous negotiation, about Mary's marriage, which was managed, on her side, by two men, who wished not her marriage, Murray, and Maitland. Much of what was said, and done, on the part of Elizabeth, does honour to her usual duplicity. Lady Lennox, and her son, Lord Darnley, had been now before Mary's eyes, ever since the demise of Francis II. The queen knew all the difficulties, and all the facilities, of such a match. Lady Lennox, who was, equally with herself, a descendant, from Henry VII., might have stood, in competition, with her, for the English crown, in case of Elizabeth's demise, without lawful issue. Lady Lennox had, also, pretensions to the earldom of Angus, in contest, with the heir male. And Mary saw that, by marrying the youthful Darnley,

---

sense with the apostle, who was equally ambitious in his own pursuits, and equally double in his means. [Keith, 249.]

[u] John, Prior of Coldingham, died, at Inverness, in November 1563.

[x] In the late Parliament, passed the Act, imposing the punishment of *death*, on witchcraft, sorcery, and *necromancy*. [*Acta Parl.* 539.] The first victims to the absurd severity of this act, were the two old women, who were burnt, by Murray, at Inverness. It was on this Act, that Murray executed Sir William Stewart, the Lion-king, in 1568, on the absurd charge of attempting to procure Murray's death, by witchcraft, and *necromancy*. [Birrel, 17.]

it might be easy to give equivalents to Lady Lennox. In prosecution of all those purposes, the Earl of Lennox came to Scotland, in September 1564, at the end of twenty years expatriation; bringing with him a recommendatory letter from Elizabeth[y]. His recommendations insured him a welcome reception, at Edinburgh. The Earl bestowed his jewels on men, who were in the habit of receiving gifts: And Lady Lennox sent a diamond to Murray[z].

A Parliament was, soon after, called, for the purpose, chiefly, of reversing Lennox's attainder, which would let in various claims upon those, who enjoyed his forfeited estates[a]. The Parliament assembling in December 1564, the queen made an oration, in favour of Lennox, which was enforced, by the eloquence of Secretary Maitland: It was now shown, that the principal reason of restoring Lennox was the request of her good sister of England[b]. Murray had his earldom confirmed, which indeed wanted confirmation; and he had a considerable grant of lands, in Aberdeenshire; of Strathdee, Braemar, and Cromar, some of the spoils of the earldom of Mar[c], which Murray selfishly retained. Some other estates were confirmed to considerable men. And above all, to gratify Knox, and his disciples, it was, at this Parliament, made penal to be present, at mass, except in the queen's chapel[d]. We may thus see again the queen's feelings outraged, by her minion's factiousness, at the call of fanaticism.

The queen, as well as Murray, by those parliamentary measures, seems to have obtained the various objects, which she had, immediately, in view: Lennox was restored to his titles, and estates;

---

[y] See the letter of the 1st of Sept. 1564, in Keith, 255. Mary, says Randolph, imputed the coming of Lennox to the Queen of England's request. [*Ib.* 259.]

[z] Melvill's *Mem.* 52.

[a] The Duke, as chief of the Hamiltons, considered the recal of Lennox, as his overthrow, especially, if the queen should marry Darnley. Keith, 259.

[b] *Ib.* 268.

[c] Murray obtained that grant on the 22d of December 1564. *Privy Seal Register.*

[d] Keith, 268.

and Lady Lennox confirmed to the young Earl of Angus, the earldom, to which she had pretensions, as heir-general[e]. It was foreseen, that the restoration of Lennox would, naturally, draw after him, his son, Lord Darnley, who had never been once mentioned, or alluded to, during the late negotiation, about the queen's marriage. The Duke, and Murray, as well as Randolph, who acted, as the instrument of Murray, endeavoured, by all means, to prevent Darnley's journey into Scotland[f]. Early in February, Darnley not only obtained leave to go into Scotland, on pretence of visiting his father, but even carried with him, recommendatory letters, from Elizabeth, to Bedford, at Berwick, to Randolph, and to the Queen of Scots. Mary seems to have expected Darnley, for some time; and went into Fife, slenderly attended, upon a progress; in order to enjoy quiet, at so anxious a moment. At the beginning of February, she even resided, at a merchant's house, in St. Andrews, where she was visited by Randolph, but not entertained, by Murray, at the seat of his Priory. The queen made Elizabeth's envoy dine, and sup, with her every day, while he remained; and he, in return, no doubt, rode out with her, after dinner, which was her daily habit: She laughed, and talked much, and toasted her good sister, at dinner, with great praise; but, she would not intimate her predilection for any lover; though she acknowledged,

---

[e] Randolph informed Cecil, on the 2d of December 1564, that Lady Lennox had confirmed that earldom to the heir male; and that, she taketh, to be better, than to be declared illegitimate, which was laboured by some. [Keith, 268.] This confirmation was, probably, granted; in order to secure the Earl of Morton, the Earl of Angus's uncle.

[f] *Id.* Randolph again wrote to Cecil, on the same subject, in his letter of the 13th: But, the efforts of the Duke, and Murray, were attended, by a different effect, than what they wished: Elizabeth had pressed Leicester, as a lover, upon Mary, as far as agreeable to her own wishes: And, she now started Darnley, as another puppet, which, she thought, she could dandle, as she pleased: Even Leicester, who preferred Elizabeth to Mary, promoted Darnley's journey to Scotland; and Cecil concurred; trusting to his own artifices, to disappoint him, when he pleased. [Randolph's letter to Cecil of the 13th February 1564-5, in the Paper Office.]

that not to marry could not be fit for her. When she heard of Darnley's arrival, in Scotland, she came forward, from St. Andrews, where Randolph had left her, to Wemyss-castle, which was then inhabited by Murray; and in which she probably meant to receive him: From Edinburgh, where he remained three nights, he crossed the Forth, to Fife, and paid her his first visit, on the 16th, at Wemyss-castle, as we have already seen.

The arrival of Darnley gave great offence to Murray, and his faction; as we know, from Randolph's dispatches: But, as he came, with Elizabeth's recommendations, Murray entertained him hospitably; carried him to hear Knox's sermon; and made him dance with the queen, at his house, on Sunday evening; as we have perceived. Thus, prosperously, went forward Darnley's voyage, while Elizabeth's breath continued to fan his sails. From the moment, that it was, distinctly, perceived, that Mary would marry Darnley, the wind changed; and drove his frail bark among shoals, and rocks. Randolph, as he was not let into the real secret of his own court, continued to write, from Edinburgh, even after the arrival of Darnley there, of the offence, which Elizabeth had given to the Duke, and to Murray, and his faction, by sending Darnley to Scotland[g].

The whole of the English partisans, the Duke, Morton, Glencairn, Argyle, and their several followers, with Murray, at their head, declared their decided opposition to Darnley's marriage, before the middle of March[h]; trusting to Elizabeth's support: The Duke, Murray, and Argyle, entered into a confederacy against all, except God, and their sovereign. On the 7th of April, Murray retired, from court, in disgust; and, consequently, abdicated his place of prime minister, in deference to Elizabeth, or in hatred to Darnley. On the 15th of April, it was plainly discovered, "that

[g] Randolph's letters of the 12th of February, and 21st of May, in the Paper Office: And see Keith, 269; and his *App.* 158.

[h] Randolph's letter of the 20th of March to Cecil. [Keith, 272.]

the queen would have the Lord Darnley[i]. Nor, was the queen wanting, in activity, and address, in promoting her own purpose. She assembled a numerous convention of her States, among whom, were the associated nobles; the Duke, and Argyle, and Murray[k]: This convention appears to have, unanimously, assented to the queen's proposed marriage, as being fit, in itself: Meantime, Elizabeth, by means of Throgmorton, whom she sent, purposely, into Scotland, carried on against Mary, among her nobles, the most dangerous intrigues, in opposition to her marriage[l]. The Duke, the Earls of Argyle, Murray, and Glencairn, retired, in concert, to their own Castles; in order to wait awhile Elizabeth's movements, and daily events[m].

Opposition to the measures of government were not, in those times, carried on, by sly intrigue, or manly debate; but, by privy conspiracy, treasonous machinations, and avowed *revolt*: In this insidious manner, then, did Murray's cabal oppose the queen; and Darnley, Argyle, and Glencairn, attended the assembly of the

[i] Cecil's *Diary*. On the 18th of April, Secretary Maitland arrived, in London; in order to explain, to Elizabeth, Mary's purpose of marrying Darnley. On the 1st of May 1565, the Privy Council of England came to a formal determination, to oppose the marriage of the Scotish queen with Darnley, by argument, by artifice, by force. Keith, 274; Murdin, 758.

[k] On the 5th of May 1565, Murray, being urged, by the queen, to sign a paper, consenting to her marriage, with Darnley, positively refused. At that time, saith Randolph, the queen hateth the Duke, the Earls of Argyle, and Murray; alleging *against him* [Murray] that he *goeth about to set the crown upon his own head.* [Murdin, 758.] On the 3d of May 1565, the Earls of Argyle, and Murray, came to Edinburgh, at the head of 5000 men, to keep the lawday against Bothwell: But, as they knew, that their opponent would not appear at Edinburgh, their object, in bringing such an army, must have been to overawe the queen. [*Id.*] There had been more; said Randolph to Cecil, "if they had not been stayed, by the queen, who hath shown herself now of late [3d May] to mislike my Lord of Murray."

[l] Keith, 276-79.

[m] *Id.* Murray carried on, in the meantime, a traitorous correspondence with Secretary Cecil, and the Earl of Bedford. [*Ib.* 200.] On the 3d of June 1565, Randolph wrote to Cecil: "The queen of Scots' counsellors are now those, whom before she liked worst: Murray lives, where he listeth." [*Ib.* 282.]

Kirkmen, at Edinburgh, which was hostile to Mary's marriage. Murray declined to attend the convention, which was called, by the queen, at Perth, about the same time; giving out, as a reason, what could not have imposed on any one, that Darnley had formed a plot, to slay him [n]. This pretence was raised, by an ambitious, and artful man, whose life consisted of such falsehoods, and impostures. It is, indeed, certain, from the evidence of records, that the Duke, Murray, and Argyle, designed to seize Lennox, Darnley, and the queen, as they passed from Perth, by Lochleven-castle, to the Queen's-ferry, on the 1st of July; to send Lennox, and his son, prisoners, to Berwick; to imprison the queen in Lochleven-castle, for ultimate dethronement. There was, in fact, an insurrection at Edinburgh, in concurrence with that conspiracy, under the influence of Knox [o]. So well laid was this treasonous enterprise, that Cecil conceived it to be already achieved. But, their secret was not well kept. And the queen, hastily, collecting 300 horsemen, at Perth, galloped across the country, by Loch leven, to the Queen's-ferry, before the traitors had awakened, from their

[n] It was the constant practice of those insidious times, when there was a real plot, in contemplation, to feign a counterfeit one. Darnley, who was incapable of any detailed measures, by adopting such a design against Murray and his faction, would have dashed his fairest hopes. When Murray was directed, by the queen, and Council, to detail how, and by whom, he had heard of such a plot, he declined to give any explanation. He proposed to wait upon the queen; but, supposed his person to be in danger: The most effectual assurances of personal safety were given him: But, he declined to appear before the Council. [*Reg. of the Privy Council.*] This pretence of personal danger was the mere fiction of an artful man. It is clear, then, that there was no real foundation, for the supposed plot of Darnley against Murray; while there was the most satisfactory proof of a real plot, by Murray, against Darnley, and the queen. [See evidence of this, in Randolph's Dispatch to Cecil of the 2d of July 1565, which speaks of a concert, between the Duke, Argyle, Murray, and Glencairn, "*to coerce the queen.*" [Keith, 289.] The convention of nineteen nobles and sixteen prelates, at Dumbarton, in September 1568, are positive, as to this point, of the conspiracy, at the Kirk of Beith, for that end. [Goodall, ii. 368-9.]

[o] Keith, 293-7; Melvill's *Mem.* fol. p. 56.

guilty dreams[p]. When Murray found, that his prey had escaped, he gave out, as he had a lie always ready, that he was sick; as we know, from Randolph, his criminal associate.

After such a disappointment, and detection, Murray prepared to execute his designs, by his treasonous sword. With his guilty associates, he held a convention, at Stirling; pretending, like other traitors, to reform both the Church, and the State; while their real object was civil war, in objection to the queen's marriage. They sent a trusty messenger to Elizabeth, who listened, with willing ears, to such projects, from every neighbouring partisan, to communicate to her their odious designs, and to ask her treacherous aid[q]. Queen Mary was aware both of their designs, and her own danger. She charged the traitors to desist, from their crimes; she gave private notice to the Duke, to beware of Murray's projects; she assured her Protestant subjects of her protection: And she summoned all her subjects, as by law they were bound, to collect around her, in arms[r]. She gave a pardon to Lord Gordon; she recalled the Earl of Sutherland; she desired Bothwell, to return, whom, during Murray's rebellion, she appointed Captain of Dunbar-castle: And she thus assumed the appearance of vigour, without any real efficiency, as her whole ministers were Murray's retainers. The confederated nobles retired to their castles, when they saw the people collecting around their queen; to wait, meantime, the slow decision of Elizabeth's doubtful aid[s]. On the 22d of July, Murray wrote, from St. Andrews, to Bedford, Elizabeth's

[p] Murray lay, for the occasion, on the roadside, at his mother's house of Lochleven; Argyle lay, on the other side, at some distance, in Castle Campbel; and Rothes brought his followers to the Parrot Well.

[q] Keith, 299. It is curious to remark, that Murray, while thus preparing, for civil war, in opposition to the queen's marriage, did not forget the Countess of Buchan: On the 3d of June 1565, he obtained a charter from the queen, under the Great Seal, of the whole estates of the deluded Countess. [*Privy Seal Reg.* xxxiii. 53; and the Charter, in the *Great Seal Record.*] Such a swindler was Murray!

[r] See Keith's *App.* No. ix.

[s] Randolph's letter to Cecil of the 21st July 1565. [Keith, 303.]

Lieutenant on the borders; setting forth the peril, to which he was reduced, on account of his earnest affection to the *true worship;* of his good will to his own Commonwealth; and of his passionate regard, for the mutual amity, between the two realms: Begging protection, for such a cause; and hinting to Bedford, how serviceable it would be to him, and his confederates, if the Lieutenant would make an irruption into the Scotish borders, where dwelt some of their most powerful opponents[t]. This whole letter, which is a master-piece of hypocrisy, was admirably conceived, to strike the feelings of the Puritan, Bedford: But, Elizabeth's servants were too well-disciplined, to stir an inch, in a warlike manner, without her positive orders[u].

We may see, indeed, in the whole proceedings of the Privy Council of Scotland, during Murray's rebellion, that the generality of the queen's servants consisted of Murray's minions. Morton, the Chancellor, Maitland, the Secretary, are expressly said, by the well-informed Randolph, to have been, as much concerned, in Murray's practices, as if they had been with him, in his convention, or his cabinet; and only waited occasions, to betray their mistress. What villains! On the 28th of July 1565, the very day before her marriage, instead of ordering Murray, to be arrested, she gave that artful traitor a safe conduct for himself, and fourscore followers, to come to Edinburgh, on the frivolous pretence of that dangerous plotter being afraid of his life[x].

The actual marriage of the queen, and Darnley, ought to have dissolved the unnatural confederacy, between the Duke, and Murray, who had divers interests. The Duke was, by law, the presumptive heir of the crown: The bastard Murray, encouraged as

---

[t] Keith, 306.

[u] Bedford was reprehended, by Cecil, for calling Murray, and his rebellious coadjutors, "*the lords of the congregation:*" And Cecil spoke, doubtfully, of Elizabeth's aid to those lords.

[x] Keith's *App.* 110. Elizabeth would have set a price upon his guilty head, instead of allowing an enterprising rebel to come to her Court, with eighty followers.

he was, by Cecil, was without any right whatever; was continually grasping at the sceptre, as occasion occurred: But, now, since the queen, and Darnley, could not be unmarried, unless it were, by the traitorous means, that had once failed, at the Kirk of Beith; to send Darnley out of Scotland, by force, and *to coerce the queen.* But, they were unable to effect either, without the avowed interposition of Elizabeth, in arms. The confederated nobles, however, continued their treasonous practices, throughout the whole month of August 1565; expecting the promised money, and men, from Elizabeth's caution, or duplicity. The queen, supported, as she was, by the genuine voice of the whole people, who approved of her marriage, made successful efforts to oppose Murray, and his guilty coadjutors; though he might have been, immediately, expelled, if it had not been for the treachery of Maitland, who betrayed her counsels, and Morton, her commander, who directed her army to the north, when he ought to have followed the rebels, to the southward. On the 7th of August 1565, Murray was, formally, denounced a rebel; and the Duke, Argyle, and others, were warned not to comfort him, if they would avoid the pains of treason[y]. Elizabeth, privately, conveyed pecuniary aids to Murray, and also sent Tamworth, to intrigue for him, with the help of his avowed partisan, Randolph[z]. The principal rebels were induced, by the queen's superiority, and Elizabeth's penury of aid, to flee into the impervious mountains of Argyle. The Earl of Athol was now empowered, to pursue the Earl of Argyle, with fire, and sword, as a rebel[a]. After all those preparatory steps, the queen, and Darnley, marched, from Edinburgh, at the end of August, towards Linlithgow, in quest of the rebels: They pressed forward to Stirling, and thence to Glasgow; while the hearts of her principal

[y] Keith, 310.

[z] *Ib.* 312: During that rebellion, Tamworth, and Randolph, were both restrained, as well they ought; their conduct being treasonous; the first in Dunbar; the second, in Edinburgh. Lodge's *Illust.* i. 353.

[a] Keith, 313-14.

ministers were with Murray. The rebels, meantime, passed, from Hamilton, to Edinburgh, with no great force, on the first of September; but, as the Castle fired upon them, and the townsmen were unfriendly, they soon found it necessary, to march, towards the southwest; pointing at Dumfries. Robertson remarks how well the queen's armies were conducted, on that occasion, when they were carried, northward, while they ought to have pressed forward, towards the south: If he meant, how well her armies were conducted, for the safety of the rebels, his observation must be allowed to savour of sense. As Murray retired upon Dumfries, towards the English border; so Morton directed the royal army northward, into Fife, which precluded all hope of pursuit. The rebels, as they were not followed, remained, upwards of a month, about Dumfries; looking for Elizabeth's aid; and trusting to such casualties, as their friends, in the queen's councils, might contrive. But, Mary, returning at length, from Fife to Edinburgh, marched thence, on the 8th of October, to expel the fugitives, or to force their submission[b]. Murray, and the guilty nobles, were, now, compelled to avow their impotence, and malignity, by seeking shelter, in England, where they hoped to be received into the frigid arms of Elizabeth[c]. Her Lieutenant, and his Wardens, received them, with great civility; and they moved to Newcastle, on the 15th of October; in order to wait, till Elizabeth had settled her conscience, as to the mode of receiving Murray, and his friends, who had risqued much, in following his ambition, and her arti-

[b] Randolph wrote to Cecil, from Edinburgh, on the 8th of October 1565: "This queen sets forward towards Dumfries, with all the force, that she can make, with many in her company, that will do her little service, when they come there: She is now, at this point, that she knoweth not, whom she may trust; so much misliked is her doings [by the English faction]: The whole of the north is come in to her, of whom is the Lord Gordon, restored to the Earldom of Huntley: In fine, the Earl of Athol, and Bothwell, are her chief trusts."

[c] Keith, 316. Elizabeth had, in fact, commenced hostilities: But, hearing of the retreat of Murray, and his rebels, she recurred to her usual practice of secret supplies of money, as well as intrigues of policy.

fices. They were well received by the Earl of Bedford, Elizabeth's Lieutenant, on the borders, who, as a Puritan, entered into their views, and promoted their prospects.

Murray, relying on the protection of Cecil, set out, from Newcastle, for London, to solicit the support of Elizabeth, who had urged him into rebellion, by so many inducements. But, he was stopped, as he advanced, towards London, at Ware [d]. Cecil, meantime, chid Bedford, for allowing Murray to come up to London; and Bedford could only excuse himself, by saying, "that he could not prevent him, without using violence." Murray soon after, by the artifices of Cecil, obtained, however, an audience of the queen [e]. Of this interview, we have a very curious account, from Sir James Melville, the partisan of Murray: "At length," says he, "the nobles were compelled to flee into England, for refuge, to her, who, by her ambassadors, had promised to hazard her crown, in their defence, in case they were driven to any strait; because of appearing against the said marriage; though this was, expressly, denied them, when coming to demand help: For, when they sent up my Lord of Murray to that queen, the rest abiding at Newcastle, he could obtain nothing but disdain, and scorn, till at length, he, and the Abbot of Kilwinning, his companion, in that

---

[d] There is a letter, in the Paper Office, to the English Privy Council, dated at Ware, the 21st of October 1565, which shows the embarrassments of both parties: "Upon my journey," says Murray, "very near this town of Ware, I received your honours' letter, from a servant of Mr. Randolph's passing to Scotland; and thereby understand the queen's majesty's resolution, plainly, to be, that it were not meet for me, to come, at this time; but, to forbear such open dealings, with her majesty, until it may be further considered what shall be meetest for me to do. I am sorry to have been so late advised of her majesty's resolution, as I am persuaded your honours knew not, that I were so far upon my journey; but, so soon as I were certified, I stayed, here, at Ware, conform to your honours' desire."

[e] Bedford, nevertheless, on the 24th of October, wrote Cecil, from Berwick: "I heartily pray you, to favour, and further, the Earl of Murray, and *the common cause*, that he cometh up for: how much he standeth thereupon, I need not tell you." The original letter remains, in the Paper Office.

message, were persuaded to come, and confess unto the queen, upon their knees, in presence of the ambassadors of France, and Spain, that her majesty had never moved them to that opposition, and resistance, against the queen's marriage: For this, she had desired to satisfy the said ambassadors, who both alleged, in their masters' names, that she had been the cause of the said rebellion, and that her only delight was, to stir up dissention among her neighbours: Yet, by this cunning, she overcame them: For, she handled the matter so subtilely, and the other two, so cowardly, in granting her desire, *contrary to what was truth;* being put in hopes of relief, if they would so far comply with what was judged her interest, for the time, that she triumphed over the said ambassadors, for their false allegations: But, unto my Lord of Murray, and his neighbour, she said; Now, you have told *the truth;* for neither did I, nor any, in my name, stir you up against your queen: And, your abominable treason may serve, for an example, to my own subjects, to rebel against me: Therefore, get you out of my presence; you are but unworthy traitors [f]." Thus happy was Elizabeth, in her hypocritical doings! And thus low could the ambition of Murray stoop: Yes; to be a king, he demeaned himself more than became a man: Of the conduct of Elizabeth, there cannot be two opinions: Like a fiend she tempted, and betrayed: Like a fury, she reproached, and tormented, the miscreants; and like another Hecate, she thrust them forward into rebellion; and then, deceived them, for the gratification of her envy, and her hate [g]. In return, for such perfidious conduct, all that they could

[f] Melvill's *Mem.* fol. p. 57.

[g] The whole State Papers demonstrate, that Elizabeth incited Murray to rebel against his sister, and benefactress, and queen: Elizabeth gave him every possible assurance of support; she contributed, secretly, some money; Randolph, her agent, was Murray's constant prompter, throughout several months. [See Elizabeth's letter to Randolph, of the 10th of July 1565. Keith, 296. See the letter of the Duke, Argyle, and Murray, of the 18th of July. *Ib.* 300. See Randolph's letter to Elizabeth of the 19th of July. *Id. ib.* 303.] They all show the secret incitements of the En-

obtain, at present, were secret supplies, from Bedford, by her directions; as we know, from Camden, and Strype, and still more, from the account, rendered by Bedford, of the money paid to them. Such, then, was the issue of this rebellion! Not a life was lost in the field: Not a traitor was prosecuted in the Justice-courts: Not one iota of power, or influence, did the queen gain, by its suppression!

Murray, and his expatriated followers, now lay along the northern borders of England, unseen by Elizabeth, protected by Cecil, and supported by Bedford; having a good position, for intriguing, in Scotland; and of watching occasions, in England, as well as in Scotland. There is reason to believe, that Throgmorton was sent, by Cecil, and Elizabeth, to solicit their pardons, from Mary [h]. And Sir James Melvill continued to whisper, in her offended ear, the worst possible advice. At length, on the 1st of De-

---

glish queen. There is a letter, in the Paper Office, from Murray to Leicester, dated, at Carlisle, the 14th of October 1565, saying: "I understand how favourable your honour hath been, to the furthering of *this our common action*. By your queen's cold dealing herein is a great part of my friends ruinate; and I, and the rest of the nobility, here, put to this extremity, to which we have been brought, by the good affections, we have borne, to follow her majesty, and her council's *advice*." Murray spoke still plainer to Cecil, by a letter of the same date, in the Paper Office:—"According to your direction, I have comforted the rest of the nobility: As for me, and the remainder here, I doubt not, but you understand, sufficiently, that neither they, nor I, enterprized this action, without forfeit of our sovereign's indignation: But, being moved thereto, by the queen, your sovereign, and council's hand writing, directed to us, thereupon, which being followed, all those extremities succeeded, as were sufficiently foreseen." There is a letter, from Murray to Elizabeth, in the Paper Office, dated at Westminster, the 30th of October 1565: "Having received your majesty's last answer, and deeply weighing the same, I have entered into such deep considerations of my present estate, and others, who, through my occasion, are drawn into the like distress, that little repose have I had in heart, since my departure, from your highness. It were to me more easy, to bear, if I knew, wherein I had offended, or deserved so hard handling of your majesty, *whom I have studied*, at *my uttermost*, to *serve*, and *gratify*, with all my *powers*, whereof *I take God to witness*."

[h] See Throgmorton's epistle to Mary, in Melvill's *Mem.* 60.

cember 1565, summonses were executed against Murray, and the expatriated nobles, to answer for their treason, in the Parliament of February, then next, to charges of treason[i]. The guilty nobles were thrown into positive despair, by that vigorous measure. Murray, with a meanness unworthy of his ambition, courted Rizzio, the queen's Secretary, for the French language; sent him a diamond; and flattered him with many promises of future friendship[k].

We have already seen, from the informations of the intelligent Randolph, which of the queen's ministers remained, in her councils, even during the late rebellion, with design to betray her. There were other nobles, who remained, at Court, and who were extremely dangerous, from their unprincipled activity, and were equally ready, to promote the interests of Murray[l]. The ministers, and the nobles, before mentioned, entered into the most profligate cabals, with the avowed design of proroguing the intended Parliament, and obtaining Murray's pardon. They debauched the feeble mind of the queen's husband[m]: And Murray, and his followers, entered into written agreements with the unworthy king, which amounted, virtually, to the dethronement of the queen, perhaps to the depriving her of life: Murray engaged, on his part, to obtain, for Darnley, the matrimonial crown, during his life: And, the wretched king undertook, in return, to prevent the meeting of Parliament; so as to obstruct the forfeiture of Murray, and his noble associates, in treason; so as to procure their pardons, from the queen, at whatever risk, of danger to her, or disgrace to himself. Lennox, the king's father, also entered into this traitorous project, after all, that she had done for him, and his son. Those engagements, which are the most profligate, that history has recorded,

---

[i] See the Act in Keith, 320: The nobles, thus charged, were the Earls of Murray, Argyle, Glencairn, and Rothes, with the Lords Ucheltre, and Boyd, and others of less note. The Duke, and the Hamiltons, had obtained their pardons, on condition of living abroad.

[k] Melvill's *Mem.* 63. [l] *Ib.* 64. [m] *Ib.*; Goodall, i. 225-33.

went the full length of an agreement, to assassinate, in the queen's presence, Rizzio, who was hated, by the king, and envied by the nobles[n]. Those guilty stipulations, however, were carried into shocking effect, on the 9th of March, then next, by the aggravated assassination of Rizzio, in the queen's closet; Elizabeth, and Cecil, previously knowing thereof: In the midst of this cruel scene, Murray, and his associates, returned to Edinburgh, under Lord Home's care, by Darnley's order, and were, soon after, pardoned; the Parliament being discharged, from attendance, by the king's single order[o]. But, those odious proceedings ended, also, in Darnley's disgrace, and perhaps, in his ultimate death: If the queen had died, issueless, during the dreadful scene of her Secretary's murder, her husband could not have been king: For, the crown was settled, by Act of Parliament, on the Duke of Chat-

[n] Keith's *App.* 120-21; Goodall, i. 225-231-33: And the declaration of the Convention, at Dumbarton, in September 1568. [Goodall, ii. 359.] There remains a singular letter, from the Earl of Morton, and Lord Ruthven, the two chief assassins, to Sir N. Throgmorton, dated from Berwick, the 2d of April 1566; wherein, they say, "that they had thought it meet to labour, for the relief of their brethren, [Murray and his noble associates in crime] who were in trouble; that since they themselves were now in the like trouble, *for the relief of our brethren*, and *the religion*, we doubt not to find favour, as they had done." [Goodall, i. 264.] We thus, clearly, see, that Rizzio was assassinated, by assaulting the queen's palace, and arresting the queen's person; that is, *murder*, and *treason*, were committed, for *the dogmas of Calvin*, and the return of Murray, with his associate rebels; and for such crimes, they asked, and received, protection, from Elizabeth, till she could procure their pardon. Murray, and his associates, were certainly relieved, by the odious conduct of Darnley; but, nothing was done, by them for him, in return. The ultimate object of this shocking conspiracy, as we may learn, from Randolph, obviously was, if the leaders had not disagreed, and the queen had not, by her address, freed her husband, and herself, to have dethroned the queen, and placed her sceptre, in Darnley's hands; and then to have left him to sink under his own weakness, and the public indignation. The final end of the whole conspiracy was, to place Murray on the throne:—but, the conspirators were disappointed, for a time: It was necessary to have another conspiracy, and assassination, for that end, the great object of Murray's ambition.

[o] Melvill's *Mem.* 65. Murray soon repaired to the prorogued Parliament, to offer himself for trial: But, he found neither prosecutor, nor Parliament; and, in a few days, he received, from the queen, a formal pardon.

telherault[p], and his heirs: Nor, could Murray, and his faction, make Darnley king, in opposition to law, and the people: He would have been left, by those, who had deluded him, like a whale upon the strand. We have now seen, that the ambition of Murray could stoop to any villainy, or wickedness, for obtaining his guilty ends[p].

When Murray was about to leave Newcastle, for Edinburgh, he wrote to Cecil, that Elizabeth should always find him one of the most attached men, in Europe[q]. The noble assassins of Rizzio, with the Earl of Morton, the Chancellor, at their head, now sought the same shelter, in England, which the noble rebels had just left, for a crime of a more odious cast, than the rebellion of Murray. Elizabeth, from fiend-like hatred of the Scotish queen, gave Morton, and his associate assassins, immediate shelter, and procured them ultimate pardon[r].

---

[p] It is curious to remark, that Murray, and Argyle, who had obtained their pardons so lately, by Rizzio's murder, appeared among the Privy Counsellors, on the 2d of May 1566, to whom it was referred, to settle, and advise the mode of proceeding against the murderous rebels, who had committed that terrible deed. [Keith's *App.* 131.] Of the hundreds, who were denounced, for that crime, only two, who were of little account, were convicted, and punished. [Arnot's *Crim. Trials.*]

[q] His letter, in the Paper Office, dated the 8th of March 1565-6. Elizabeth, on that occasion, ordered Bedford, her Lieutenant, to pay Murray 300*l.* for his expenses, to Edinburgh. But, Bedford wrote the queen, on the 16th of March, that Murray was departed, before he had received her pleasure, "for 300*l.* supposed to be, in his hands, in part of the 3000*l.* sent to him, to be *secretly paid* to *the Earl of Murray*, towards his charges, while he remained, at Newcastle:" But, he added, that of the said 3000*l.*, there, only, remained 200*l.* in his hands: For, having paid 1000*l.* to Lord Murray, while at Newcastle; and 1800*l.* to the officers at Berwick, nothing more than 200*l.* remained. [The original in the Paper Office.] Here, then, is complete evidence of the money, secretly, received, by Murray, from Elizabeth, while he remained, in England.

[r] Keith, 336. Elizabeth, with her accustomed duplicity, ordered Morton, Ruthven, and the other assassins, to depart, from her kingdom; yet, allowed them to lurk about Alnwick, under Cecil's protection, till she obtained their pardon; which enabled Morton to perform even grosser deeds of wickedness, towards the Scotish queen, by murdering Darnley.

The queen, after the murder of her private Secretary, saved herself, and Darnley, by inducing her guilty husband, to flee with her to Dunbar-castle. Here, she found safety till her loyal barons could assemble around her, with their men in arms. She now returned, in a sort of military triumph, to her capital, whence the guilty fled, and where the penitent were pardoned. She, now retired, by the advice of her Privy Council, owing to the artifices of Murray, and Cecil, into Edinburgh-castle, to wait, in security, the time of her necessary confinement[s]. During this period, Mary employed herself, in reconciling her irascible nobles to each other. She, who had received offence, and injury, from so many, easily reconciled her temper to her duty. It was very difficult to reconcile Darnley to himself, though he lived amicably, with his wife, in the quiet of the Castle; as she never mentioned to him, her sense of his misconduct, and crime, or pursued his father, for his treason. The nobles, easily, assumed the appearance of reconciliation with each other. But, Murray, after the disavowal of Darnley, never could enjoy, with him, "the sweet intercourse of looks, and smiles," till the bowstring closed the piteous life of the wretched king. It is curious to remark, that after the general re-

[s] Keith, 385: She entered the Castle, on the 5th of April 1566, and was delivered, on the 19th of June, of James VI.: Yet, with all apparent fairness, and even attention to the queen's safety, this circumstance of her residence, in Edinburgh-castle, was, merely, the result of a fresh plot of Murray, and Cecil, who, naturally, supposed, from the assassination of Rizzio, in her presence, by a thousand stabs, her child would, probably, be *still-born*, or perhaps a monster, and that she might never rise again, from child-bed: Murray, and Argyle, the two pardoned rebels, the one her bastard-brother, and the other her brother-in-law, with Darnley, her husband, were the only persons of consequence, which were allowed to remain, in the castle, with her: If the queen should die, as they supposed most likely, Murray, and Argyle, would seize the castle, as a great step towards the throne. Randolph was ordered, to remain, in Berwick, to wait the issue of those speculations, ready to dart upon Edinburgh, for supporting Murray's pretensions to the crown. Elizabeth was, in the secret, of this plot; and confidently expected some fatal accident to the Scotish queen: Hence, her disappointment, and chagrin, when she heard of Mary's safe delivery of a fine boy. [This plot is detailed, in Randolph's dispatches to Cecil.]

concilement, of all the nobles, none but Argyle, and Murray, who were so lately pardoned, slept, within the castle. The chiefs of the Hamiltons, were in exile, owing to the egregious folly of the duke. And, it is apparent, if any fatal accident had happened to the queen, in child-bed, that Murray, being in possession of Edinburgh-castle, would have seized her sceptre, which Cecil would have proved, to be legitimately his, and Elizabeth would have recognised, as his genuine right, in the teeth of the statute, entailing the crown on Arran, and virtually denying the illicit pretensions of the bastard Murray, though twice legitimated.

The queen, however, was happily delivered of her son, who was destined to be James VI. This event, which was important in itself, deprived the duke of the second place, in the kingdom; and by interposing an heir to the crown, obliged Murray, to change the whole plan of his future steps, towards the first place, in a distracted government[t]. Murray, though no longer the queen's minion, continued an assiduous courtier, to watch, with the Secretary, the passing scene. After the late tempestuous season, Elizabeth seemed willing to make fair weather, with the Scotish queen. And Murray, the spaniel of Elizabeth, constantly, crouched, to lick the hand, that chastised him. All, but Darnley, seemed to have been willing to be quiet, during the remainder of the halcyon year of James's birth. Now appeared a new pretender to the crown! It did not require the penetration of Cecil, or of Murray, Maitland, and Morton, how easy it would be, to proclaim the baby James, as king; and thus create the necessity of a *regent*.

When the queen's period of confinement was passed, she went along the Forth to Alloa-house, attended by Murray, Mar, and

---

[t] Melvill, in his *Mem.* 67, tells a story of Huntley, and Lesley, the Bishop of Ross, soliciting the queen to imprison Murray, as her time approached; but, that she refused, and told the tale to Murray. The policy of the queen, at this period, as we have seen, was to conciliate, and not to irritate. Sir James Melvill, or his editor, often misplaces events, and misconceives purposes.

other nobles; but Darnley chose to go by land; as he liked not to be in the same ship with Murray. It was here, that Secretary Maitland was allowed to wait upon the queen; having obtained his pardon, for his participation, in Rizzio's murder, by the influence of Athol, and Murray, in opposition to the interest of Bothwell, and Darnley[u]. This is an important fact, for checking the current of calumny, which had been so much distributed, through the country, concerning the influence of Bothwell, at that memorable period, when he had obviously less importanee, in the queen's mind, than Athol, much less, than Murray.

After the court's return, from Alloa, a sort of *eclaircissement* took place, between Darnley, and Murray, which, only, heightened the enmity, between two ambitious men, who aimed at the same object[v]. At the same time, the old grudges broke out, in the queen's presence, between Murray, and Bothwell, on account of Secretary Maitland, who was protected by Murray[x]. The queen soon after went into Peebleshire, for the amusement of hunting, accompanied, by Darnley, by Huntley, by Murray, and by other nobles. Soon after their return, the queen carried the infant prince to Stirling[y]. Here, the queen, and her court, remained till the end of September, when she returned to Edinburgh, on account of the public business. Soon after the arrival of the court, at Edinburgh, Darnley's purpose was declared, by his father, of leaving

---

[u] Keith, 345. [v] See the News from Scotland, in Robertson's *App.* p. 435.

[x] See the same intimations of News from Scotland, which are very important, when we have deducted the exaggerations of faction; as they show the renewment of enmities, between Darnley and Murray, and Bothwell and Murray, in August 1566: "During the altercations, between Murray, and Bothwell, the queen spoke nothing, but, heard both." *Ib.* 436. Let it be remembered, also, that Bothwell, and Maitland, were constant enemies; on account of their habitual competition, for the casualties of the crown, in the southern districts.

[y] *Id.*; Keith, 345: The queen was, at Stirling, on the 22d of September 1566, with the prince, her son, "who is a very fine child, said the aged Le Croc; and thrives so well, that against the time of his christening, the godfathers will feel the weight of him, in their arms." Keith, 345.

his wife, and son, and departing the kingdom: The reality of his design, and the causes of it, were examined by the Privy Council; when he could not charge the queen with any cause of offence; but, intimated his hatred of certain lords, including Murray, and Maitland, as the real causes of his discontent, which he was ashamed to avow[z]. The queen endeavoured, in vain, to conciliate so wayward a husband, who was discontented with himself, rather more than with others; and who now, by his discontent, and absence, from the queen, and court, brought on his own ruin; from the secret machinations of those, with Murray at their head, who saw his enmity, which rankled, in their hearts. On that occasion, Murray conciliated Bothwell; so as to draw him, from the duty, which he owed to the laws, to the guilty concert of Murray, and his faction.

An attention to the border turbulence, had, for some time, determined the queen, and her court, to hold Justice-airs, at Jedburgh. On the 8th of October 1566, the queen, attended by Murray, who seems never to have left her, and her officers of state, and of law, set out, for Jedburgh, on the constitutional object of holding Justice-courts. It was, on that occasion, that Bothwell, the queen's lieutenant on the borders, was wounded, by Elliot of Park, when Bothwell attempted to enter Hermitage-castle, to the possession of which, Elliot had some claim. This happened on the 8th of October. On the 16th of the same month, the queen rode from Jedburgh to that castle, and returned the same evening; being a journey of about forty English miles. On the morrow, she was taken ill of a dangerous fever, which had almost proved fatal. On that emergency, the nobles, the prelates, and officers of state, who were then present, resolved to remain together, till they should arrive at Edinburgh; and there to hold a convention, which

[z] Keith, 350: In the continued practice of calumny, it is always said, that Darnley came to visit *the queen;* but, was repulsed: It was the constant appearance of Murray, and Maitland, about the queen, which repulsed Darnley, who could not look upon them.

might provide for the government of the country. Had the queen demised, the administration of affairs, would have fallen upon Murray, in the name of the infant king; the heir presumptive being, in France; and Darnley, and Lennox, having no influence, in the state. But, from the 26th of October, the queen began to recover, gradually; while the privy counsellors continued to perform their functions, at Jedburgh, from the 9th of October to the 8th of November 1566, when they adjourned to Kelso, in continuation of the public business. The nobles, the prelates, and law-officers, who continued so long to administer public justice, were; the Earls of Huntley, *Murray*, Bothwell, Athol, Rothes; and Catness; the Bishops of Galloway, Catness, and Orkney; Secretary Maitland, the Treasurer, the Clerk Register, and the Justice Clerk. This specification supplies a satisfactory answer to the calumnies, with regard to the queen's conduct, on that occasion, as if she had sacrificed more to Bothwell's advantage, than to the public service. After sitting two days, at Kelso, the queen set out, with her whole court, as well as the country people, along the Tweed towards Berwick: And, she proceeded thence to Dunbar, on the 15th; and to Craigmillar-castle, near Edinburgh, on the 20th of November. 1566[a]. On that progress, Bothwell, as sheriff of the

[a] In the Paper Office there is a letter to the Privy Council of England, dated from Dunbar, on the 18th of November, signed by Huntley, Bothwell, and Murray. Keith, 354-5. *App.* 136. This shows, that the queen, and Bothwell, were not then alone, at Dunbar. In the same office, there is a letter, from Secretary Maitland, to the Earl of Morton, dated on the 19th of November, at Whittingham. Keith, 355. There is an epistolary journal of Secretary Maitland, dated, at Whittingham, on the 19th of November; giving an account of the queen's progress, homewards; and saying, that she was accompanied on that progress with 800 or 1000 horse. Keith, 353-4. It was rather audacious, in Buchanan, to assert, in his feigned journal of the queen's progress, that *she, performed that tour with only Bothwell, in her company*. And, it was still more audacious, in Murray, who, as her chief adviser, accompanied the queen on her whole journey, from the 8th of October to the 20th of November, and knew the facts, to give Buchanan's forged journal, in evidence, to the Privy Council of England. Of this forged journal, there is a copy, in Anderson's *Col.* ii.

three shires, through which the queen, and her court, were to pass, attended on both: But, it was Murray, and Maitland, who chiefly conducted the public business, throughout the queen's journey.

Soon after the queen's return to Craigmillar-castle, Secretary Maitland, and the Earl of Murray, opened to the queen the well-known project of her divorce from Darnley. During that profligate age, Murray, and Maitland, grounded that project, which meant much more, than it mentioned, on the absurd conduct of Darnley, and Lennox, since the murder of Rizzio, notwithstanding the queen's endeavours, to reclaim her husband; on Darnley's avowed enmity to Murray, Maitland, and other nobles; on the desire of Murray, and Maitland, by such extraordinary means, to obtain the pardon, and recal, of the expatriated Morton, and his guilty associates. This nefarious design, which seems to have been preceded, by a rumour, however false, that the queen had applied to the Pope, for a divorce, from her husband, was proposed to the queen, and communicated, by Murray, and Maitland, to the Earls of Huntley, Argyle, and Bothwell, for their assent: But, the queen would, scarcely, hear their proposal, as it might spot her honour; and she forbade them to proceed in such a measure, with more firmness, than they expected, in the circumstances, wherein she stood with her husband: And Argyle, and Huntley, at a future day, revealed, by a written declaration, the whole detail of this conspiracy, by Murray, Maitland, and Bothwell[b]. Huntley, and Argyle, very justly inferred, as every considerate person must

[b] See the declaration of Huntley, and Argyle, in Anderson's *Col.* iv.; in Keith's *App.* 136; in Goodall's *Examen*, ii. 306-22; and, also, the declaration of the 19 nobles and 16 prelates, which met in convention at Dunbarton. [Goodall, ii. 361; and Camden's *Hist. Eliz. Transl.* 92.] Murray made a frivolous answer to that charge; containing little more than a general denial. Buchanan, with his usual disregard of truth, says, in his forged journal, "they both [the queen, and Bothwell,] returned to Craigmillar; and *began to reason upon the divorce, betwixt her, and her husband.*" The fact is, that Bothwell, as he was now a conspirator with Murray, and Maitland, against Darnley, seconded Maitland, when that proposal was made to the queen, in the presence of Murray.

ever conclude, that since the project of a divorce was rejected, by the queen, the design of destroying Darnley, by the flagitious hand of Bothwell, was then resolved on, by Murray, and Maitland: And, the convention of nobles, and prelates, before mentioned, also, drew the same conclusion, from the whole circumstances of that singular proposal, by Murray, and Maitland, who were in the guilty habit of such dangerous conspiracies. Murray himself, from the feebleness of his defence, against the charge of Huntley, and Argyle, seems to admit the fitness of their inference, that he was a mover, in the murder of Darnley; as he was, undoubtedly, the chief gainer, by that odious deed[c].

Soon after that memorable transaction, at Craigmillar-castle, which led to such mighty consequences, Mary removed, with her court, to Stirling, preparatory to the baptism of her son. The Earl of Bedford, who was to represent Elizabeth, at this ceremony, received his passport, and entered Scotland, on the 8th of December[d]. The prince was baptized by the name of James Charles, in the chapel of Stirling-castle, by the Archbishop of St. Andrews, according to the ritual of Rome, on the 17th of the same month of December 1566[e]. The queen conducted herself, admirably, throughout the whole ceremony; while the king, who did not attend the baptism of his own son, behaved with his accustomed absurdity.

But, during the ceremony, Bedford, Murray, and other reformed lords, would not, by entering the chapel, defile their puritanic eyes, with witnessing what Bedford had been sent to witness. Meantime, Murray, and Bedford, and other nobles, occupied themselves,

---

[c] See the Subsidiary Documents to the first Memoir, in this volume.

[d] As to his behaviour, on that occasion, he was instructed, to govern himself, so as should be meet for Elizabeth's honour, and Mary's pleasure; yet, so as to avoid such things, as be against your conscience, and contrary to *the religion*: "'Tis best to imitate *the example of Murray*, and the other lords of the same religion, for which they have the permission of that queen." Keith, 356.

[e] See Le Croc's letter, from Stirling, of the 23d Dec. 1566. [*Id.*]

about what was, in their minds, of much more importance, than christening the prince, who was destined, by them, to circumvent his mother, by a strange sequence of circumstances, and finally to be the King of Great Britain: They laboured, successfully, to obtain the pardon of Morton, and the other murderers of Rizzio. At Christmas 1566, the forgiving queen yielded to so general a solicitation, in favour of those unworthy miscreants: And, all but George Douglas, who stabbed Rizzio over the queen's shoulder, and Andrew Kerr, who presented a pistol to her bosom, were now pardoned[f]. Cecil, and Elizabeth, had protected Morton, and the other murderers of Rizzio: And they now, above all others, contributed to obtain their pardons. Next to Elizabeth, and Cecil, in efficacy of persuasion over the Queen of Scots, was *Murray*, her brother, and adviser, who had still more influence over her spirit, than any of the Scotish nobles, beyond compare. Darnley seems to have opposed this noted measure. Having thus obtained so great an object, Bedford made a progress, from Stirling, through the congenial county of Fife, along with Murray, and his friends, who repaid, now, what they had received, formerly, from Bedford, during the sad days of their long expatriation[g]. Of his entertainment, in Fife, Bedford informed Cecil, by the same letter: "I have now been these six, or eight days, at St. Andrews, and other places of Fife, with my Lord of Murray, who hath, by himself, or by his friends, used me, with much honour, great cheer, and courteous entertainment; and so, must I now draw homeward, as fast, as I can."

The queen, meanwhile, made some short excursions, to Drymen, and Tullibarden, after the fatigues of the baptism, and the vexation of her husband's waywardness. Robertson, who was ignorant of facts, reprehends the queen, for seeking amusement,

[f] There is a letter, in the Paper Office, from Bedford to Cecil, dated the 30th of December 1566, which shows, in opposition to the calumnies of the Scotish historians, by whom those pardons were obtained, which has been already quoted.

[g] *Id.*

abroad, while her husband lay dangerously ill of whatever disease. Darnley, who was as ignorant of policy, as of his own interests, was one of the few, who opposed the pardon of Morton, and his guilty associates in crime[h]: And the queen's pardon, after such solicitations, of the assassins of Rizzio, was the signal for Darnley, to leave the court: He only went to visit his father, at Glasgow, where the small-pox, unhappily, prevailed; and he was "instantly taken with the infection." Mary, as a wife, and a mother, who had her infant to watch over, did better than repair to Glasgow, knowing the nature of her husband's disease: She sent her own physician, to take care of him[i]. So different are the certainties of fact, from the intimations of falsehood!

There is another transaction, of some consequence, which the Scotish historians are, continually, misrepresenting; and which was thus plainly stated, by Bedford to Cecil[k]: "The Bishop of St. Andrews, had of late obtained, of this queen's hand, authority to use a certain jurisdiction, in divers cases, according to the Canon laws; and meant, therefore, to have erected his court, at Edinburgh, which, because it was found, to be contrary to *the religion*, and therefore, not liked of, by the townsmen; *at the suit of my Lord of Murray*, [not Bothwell] the queen was pleased to revoke that, which she had before granted, to the said bishop." It was the ecclesiastical court of ancient authority, which the Archbishop attempted, about the time of *the baptism*, to restore; and

---

[h] Bedford wrote to Cecil, on the 9th of January 1566-7, after his return to Berwick; having left Edinburgh, on the 6th: "The Earl of Morton, having now obtained his pardon, doth think himself much beholden unto you, for *your favour*, and *good will therein*. There were *some*, that sought, to hinder the same all, that they could, [Darnley.] But, his friends so stuck to it, on his behalf, as prevailed therein: In the which, the Earl of Bothwell, like a true friend, joined with my Lord of Murray; so did Athol, and others." [In the Paper Office.] See how differently Melvill, or his interpolater, speaks, in his *Mem.* 76-7.

[i] Bedford's letter of the 9th of January 1566-7. Birrel's *Diary*, 6. Drury's letter to Cecil from Berwick, soon after.

[k] In his abovementioned letter of the 9th of January 1566-7.

which the queen now suppressed, on the solicitation of Murray, who thus appears to have regained his former authority over the queen's councils[l].

It is unquestionably of great importance to the interests of truth; and to the satisfaction of every reader, to rest a moment here, at the conclusion of the year 1566, and the beginning of the subsequent; that it should be clearly ascertained, who had the influence of the queen, and government, at that memorable epoch. With regard to the queen's family; she was no doubt influenced by her women, and, still more, by her medical men. Darnley, at that period, lay at his father's house, at Glasgow, sick of the small-pox, and in the care of the queen's physician. The government was chiefly managed by Murray, and by Maitland, the Secretary, one of the ablest, and basest men of that age, while the offices of state were chiefly filled by Murray's creatures. Huntley, indeed, was Chancellor, though without much influence; as he seems not to have had much ability, or experience. The Justice-general was Argyle, the brother-in-law of Murray, with influence, in proportion to the number of men, whom he could raise[m]. Bothwell, according to Melvill, ruled all at court; and Robertson, who relies on this corrupt authority, without quoting it, is quite indignant, that the queen should allow Bothwell, to have so much ascendency over her: But, do we see him acting, with any such ascendency? Yes; he threw in his feeble voice, in favour of Morton's pardon, as he expected aid, from him, in return, when his countenance would be important. It was Murray's influence, which chiefly obtained Morton's return; as we may learn from Bedford, who saw what he relates. We perceive Murray, soon after, put an end, by his influence, with the queen, to the Archbishop's com-

---

[l] If we were to believe the interpolated memoirs of Melvill, 76-7, "Bothwell now ruled all at court."

[m] Richardson, the Treasurer; Sir James Balfour, the Clerk Register; Sir John Bellenden, the Justice Clerk; Spens, the Queen's Advocate; and David Forest, the General of the mint, were, mostly, all creatures of Murray.

mission. On the 28th of December 1566, we may see the queen in correspondence with Murray, but not with Bothwell[n]: The fact, then, confutes the calumny. On the 10th of January 1566-7, we may observe Murray, sitting in the Privy Council, which was then held, at Stirling; and which advised "provision, for the sustentation of the ministers, in Burrows[o]." And, above all, we may perceive, a most important grant to Murray, from the king, and queen, on the 31st of January 1566-7, only ten days, before Darnley's murder[p]. We may, from those circumstances, see, then, that Murray was the queen's chief minister, at the opening of the fatal year 1567.

The queen remained, at Stirling, till the 13th; and came to Edinburgh, with the prince, on the 14th of January 1567, being perfectly acquainted with the progress of Darnley's disease, from the information of her physician.

Meantime, many disquieting reports were propagated, in Scotland, England, and in France: It was said, at Glasgow, and at Edinburgh, that Darnley intended, to seize the prince, to cause him to be crowned, and to govern, in his name. But, Mary, though she saw the purpose of this report, and caused several persons to be examined, could not trace it to its malignant source. Rumours of a still more terrific kind, importing some great explosion, were propagated, at Paris. Secrets, which are intrusted to several, can seldom be kept. It had, indeed, been early foreseen, and foretold, after the arrival of Darnley, in Scotland, that a

[n] In the Treasurer's books of the 28th of December, there is a charge of 12*s.* paid to a boy, passing, from Stirling, with close writings of our sovereign's, to the Earl of Murray, in St. Andrews.

[o] Keith, 570. But, Bothwell was not present, with the other privy-counsellors: He was, about that time, on a visit to the Earl of Morton, at Whittingham, to engage that daring man, in the murder of Darnley.

[p] *Privy Seal Reg.* xxxvi. p. 1. It was to enable Murray, to raise money on his abbeys, and estates; as his numerous faction was a constant drain upon his income, great as it was: He pretended, indeed, to have embarrassed his revenue, by attending the court, on the queen's affairs.

prince, who showed his *frowns*, oftener than his *smiles*, could not live long among such a people. It appeared, plainly, to those statesmen, on the continent, who obtain political knowledge, from conjecturing what must necessarily happen, by comparison of circumstances, that Darnley, with such manners, and vices of character, could not exist amidst nobles, who were irascible, and fierce; who were in the habit of plots, and in the practice of assassination; who, with many pretences of religion, possessed none of the principles of Morals: Those various reports had been spread, by Murray's faction, to cover their real design. Yet, whatever might have been the causes of dissatisfaction, which the queen may have had, with the king, her husband, they did not prevent her, from accepting his desire of reconcilement, or from bringing him, from Glasgow, as soon as he could bear, such a journey, at such a season [q]. For that end, she set out, from Edinburgh, on the 24th of January 1566-7, in the afternoon, and arrived, on the subsequent day, at Glasgow. She left that city, with Darnley, on the 27th of the same month; arrived at Linlithgow, on the 28th; and they came to Edinburgh, on the 31st, when he was carried to a lodging, which had been provided for him, in Kirk-a-field, within the southern suburbs [r].

The king, and queen's reconcilement, and her desire of pleasing him, had been remarked, at Glasgow, and still more, in Kirk-a-field: And the queen, who had refused to be divorced from him, in the preceding December, now expected, probably, some years'

[q] See her letter of the 20th January 1566-7 to her ambassador, in Paris, in Keith's *Pref.* viii.: The proofs of her reconcilement, at that period, with her husband, are quite satisfactory. What more could a reconcilement be with such a prince, than a promise to live with her, as became a husband of his rank? "God knows (said she, in her letter of the 20th of January 1566-7) our part always towards him; and his behaviour, and thankfulness, towards us, are equally well known to God, and the world."

[r] The records ascertain those dates, which cannot admit of any reasonable doubt.

repose, with her wayward husband: But, what expectations could she expect, among a credulous people, and amidst statesmen of unbounded profligacy! The conspiracy against Darnley's life, which had been first thought on, by Maitland, and Murray, at Michaelmas preceding; resolved on, during the Justice-airs, at Jedburgh; and matured, about the beginning of December; was carried into full effect, in the night between the 9th and 10th of February 1566-7. Murray, who had the greatest interest, in the effect of this plot, was the chief of the conspirators; Maitland, the Secretary, was the contriver of the plan, which went the full length of dispatching Darnley, and dethroning the queen; Morton, the most audacious, and wicked of mankind, engaged to support them, in destroying an enemy; and the execution of so base a deed was assigned to Bothwell, who was hated by them, and who was to be rewarded with the queen's marriage; so that this well-conceived conspiracy was intended to ruin, both Bothwell, who was to be made the scape-goat, and the queen, who was to be dethroned. By matchless artifice, this detail of villainy was, completely, executed. The death of Darnley, which was superintended, by Bothwell, was involved in mystery, by strangling the devoted object, with the servant, who slept in the same apartment, and by blowing up the house with gunpowder. Murray, whose sanctity of manners, required many observances, went, from Edinburgh, into Fife, on a visit to his wife, on the day, before that shocking event; and he had made some preparations for war[s]. Morton, the Earls of Bothwell, and Murray, were immediately said, to have been the perpetrators of that odious crime[t]. Yet, at so critical a moment, Murray did not remain long absent, from Edinburgh. He continued to act, as the queen's principal adviser, throughout the two

[s] Lesley's *Defence*, 1569, p. 44; Keith, 365. He had already written to Secretary Cecil, for bows, arrows, and quivers, which were sent, under Elizabeth's warrant, dated the 13th of February 1566-7, which was founded on the suit of the Earl of Murray." Harl. MSS. 289. f. 95. [t] Keith, 365.

subsequent months, [9th Feb. to 9th April] of suspicion and recrimination, of private informations, and public charges[u].

But, the time was at hand, when Murray, according to his practice, was to absent himself, from Scotland, as he knew, that scenes were to be acted, in which he could not participate, without loss of character. He easily obtained the queen's license, for travelling into England, and into France. He left his affairs, in the hands of Morton, and Maitland: He endeavoured to conciliate Huntley; and on the 9th of April 1567, he set out, from Edinburgh, for London, and Paris. In his conference with Secretary Cecil, he appears to have communicated to him the whole detail of what was designed, in Scotland; and Cecil took Elizabeth's orders, in consequence, for giving successful effect to the intended measures, by ordering Bedford to his post, at Berwick; in order, *to countenance the lords*, when they should draw their swords against the queen, and Bothwell. The insurgents, in Scotland, corresponded, constantly, with Murray, in France, by means of Cecil. The *Cabala* is the record of their guilty measures. Cecil not only transmitted their letters to Murray; but, he obtained him credit, for money, to enable him to return, when the imprisonment of the queen,

[u] The public business of the Scotish government, was then conducted, by Secretary Maitland, under the general superintendance of Murray. On the 8th of March 1567, when Murray was to give a dinner to Kyllegrew, who was sent by Elizabeth, to condole with Mary, he invited Huntley, the Chancellor, the Earl of Argyle, the Earl of Bothwell, and Secretary Maitland: Morton was absent in Fife. Bothwell, we thus see, was invited to Murray's table, three weeks after Bothwell had been placarded, and charged, as the murderer of Darnley; and yet, Murray, and Bothwell, till the epoch of this conspiracy, had never been friends: This fact proves, that Murray countenanced Bothwell, after he had been publicly charged, as the murderer of the king. Murray was present, in the Privy Council, on the 14th of March 1566-7, when a prosecution was ordered against one Murray, who had placarded Bothwell, and others, for the king's murder. [Anderson's *Col.* i. 38.] Murray was present in the Privy Council, on the 19th of the same month, when the queen gave a discharge to the Earl of Mar, for keeping Edinburgh-castle. [*Parl. Rec.* 751.] But, Murray was not present, on the 28th of March, when the Privy Council ordered, that on the 12th of April 1567 Bothwell should be prosecuted, for the king's murder.

and her dethronement, made his presence necessary: The French government caressed Murray, when they should have imprisoned him. If he had not privately retired from France, he would have been arrested, as a hostage for Mary's safety. In the meantime, Morton, with his associates, raised an insurrection against Mary, and Bothwell, which ended, by expelling him, and dethroning her. Murray, with the aid of Cecil, returned to Edinburgh, on the 9th of August, where, he had been chosen regent, by his own partisans, rather than by the queen's destination, who had been imprisoned by them. His entertainment of Bothwell, after he had been denounced, as the murderer of Darnley, and a few days, before he set out for France, forms a strong proof of the guilty conduct of this distinguished hypocrite[x].

It is more than probable, that Elizabeth, and Cecil, did not know the whole extent of the Craigmillar conspiracy: Their spies

[x] The following letter, from Murray to Throgmorton, dated 13th of March 1567, only five days, after Murray had entertained Bothwell, at dinner, which has been transcribed, from the *MS. Col.* of Mat. Crawfurd, Professor of Church History, will show, to every discerning eye, a striking picture of a guilty mind: "Treist friend: After my maist hearty commendations; gif after-sic accidents, as lately hath fallen out, in thes parts [the murder of Darnley] another messenger had been sent towards the queen, your sovereigne, nor the present bearer, [Robert Melvill] I would have been earnest, to let you know more amply of my mind, by write: But, in respect to the sufficiency of my said friend, I will not be long: He hath hard, and seen, more than I can write: I will desire you to give him credit upon my behalf; and that *accidents proceeding from the bottom of wickedness* [the murder of Darnley] alter not the gude wills of sic [such], as upon maist just reasons, and considerations, has delivered [determined] to follow further godlye and gude purposes: And thus I end; committing you heartily to God: From your maist assured—James Steward." Such is the guilty scribble of Murray. Throgmorton was, probably, disappointed, as Cecil was, by the uninstructive inanity of Robert Melvill's story. The truth is, that this agent of Murray was not intrusted with the secret: Nor, did Secretary Maitland choose to reveal it to Cecil: Murray, Morton, and Maitland, could not avow to Cecil, that they had committed such a murder, by such means. See the *Cabala*, 125: "Master Melvin is come hither, from Scotland, by whom we looked, that we should have heard many circumstances of the murder; but, he cannot, or may not, tell us any more than we knew before."

could, only, reveal to them what they heard, in the country, and what would please at court: The conspirators, in habits of confidence, as they were with Cecil, were too circumspect, to reveal to such a minister, either the purpose of their plot, or the detail of its execution: It fell to the lot of Secretary Maitland, as we shall see, to baffle Elizabeth's messenger, who arrived early on the day of Bothwell's trial. Cecil was either ill-informed of Scotish matters, and men, or he misrepresented what he knew, to the English ambassador, at Paris[y].

[y] In his dispatch to Sir Henry Norris early in March 1566-7, Secretary Cecil says of Scots news: "There do adhere together, *with the Earl of Lennox*, Argyle, Morton, Athol, MURRAY, Catness, and Glencairn, who mean to be, at Edinburgh, very shortly, as they pretend, to search out the malefactor." [*Cabala*, 126.] But, Cecil knew, that the nobles, mentioned by him, belonged to Murray's faction, and not to Lennox, who had no faction: Cecil wished to draw away the attention of Norris, and of those, with whom he conversed, from Murray, as the chief of the greatest faction, in Scotland. Cecil, in his next dispatch of the 21st of March, says to Norris: "The common fame, in Scotland, continueth upon the Earl of Bothwell to be the principal murderer of the king; and the queen's name is not well spoken of: God amend all that is amiss!" Bothwell was tried on the 12th of April 1567; and, as had been concerted by the conspirators, was easily acquitted; as he was supported, by Morton, and Maitland, Murray's agents. After the rising of the Parliament of April 1567, a writing was signed, by Morton, and Maitland, and all, whom they could influence; declaring the innocence of Bothwell, avowing his fitness, as a husband, for the widowed queen; and engaging to defend both his innocence, and his marriage, with the queen. Murray is said to have also signed this infamous document: But, as he had left Edinburgh ten days before, it would require strong evidence, to prove such a fact, as the signing of such a paper, which was so inconsistent with his characteristic caution: Yet; he had assented to the conspiracy; and one of its principal points was, *to marry the queen to Bothwell;* to disgrace, and then, to dethrone, her. What passed between Murray and Cecil, when they met, at London, is not certainly known: But, in Cecil's letter to Norris of the 12th of May, he says; "The queen of Scots, I think, will be wooed to marry Bothwell [She did marry Bothwell on the 15th of May:] the principal of the nobility are against it; and are at Stirling with the prince." [*Ib.* 126-7.] We here see, that Cecil foresaw the marriage, and the conspiracy of nobles, who first came out, on the 9th of June, to oppose Bothwell. He must have had this foreknowledge, from Murray, who knew, when he left Edinburgh, *what was to happen;* as he had a strong interest, in the result.

The moment, that the queen, by marrying Bothwell, had fallen into the snare, that the conspirators had laid for her, then they became very communicative with Cecil. They conveyed their letters, for Murray, through the friendly hands of Cecil, who now saw his way to the dethronement of the queen, and the elevation of Murray to the viceregal chair. Murray's faction took arms, to free the queen, from the domination of the guilty Bothwell; and the same nobles made her a prisoner, contrary to their own agreement, and sent her to Lochleven-castle[z], while they allowed him to escape. It is quite apparent, from what has been already intimated, that Murray was completely identified with the insurgents, in Scotland, and the transactions therein. He was, in fact, their chief: Cecil, also, by his proceedings, identified himself with the same insurgents; by acting for them, with Murray, against Mary[a].

---

[z] We learn, from Cecil's dispatch of the 26th of June: "The best part of the nobility have confederated, to follow, by the way of justice, the condemnation of Bothwell, for the murder of the king: Bothwell defends himself by the queen's maintenance. The 15th of this month, he brought her into the field, with power, which was so small, as he escaped himself, without fighting, and left the queen in the field, and she yielding herself to the lords, flatly denied to grant justice against Bothwell: So, they have restrained her, in Lochleven, until they come to the end of their pursuit against Bothwell." Thus far Cecil! But, his dispatch was deceptive, and he intended to deceive. The best of the nobles, which he speaks of, were only Murray's faction, under a new shape, with Morton, the assassin of Rizzio, at the head of it.

[a] In his dispatch of the 26th of June, to Norris, at Paris: "I, at this time, send unto you certain packets of letters, left here by Mr. Melvin, who, lately, came hither, from the queen of Scots; the sending of those to My Lord Murray requireth great haste, whereof you may not make the Scots ambassador privy: His return into Scotland is much desired of them [the insurgents], and for the weal both of England, and Scotland, I wish he were here." [*Cabala*, 128.] Cecil again wilfully supposes, that there were two factions, in Scotland, the Hamiltons, and the Lennoxes; whereas, there was only Murray's faction. [*Ib.* 129.] Cecil shows his anxiety, for Murray's return, by saying; "If my Lord of Murray should lack credit, for money, my Lord Steward would have his son give him such credit, as he hath; for my Lord alloweth well of his friendship." [*Ib.* 129.]

Whatever might be the anxiety, or artifices, of Cecil, the objects of Murray, in France, and his aims in Scotland, did not altogether elude the vigilance of Mary's ambassador, at Paris. It was here known, on the 25th of June 1566, that the Scotish queen had been taken, on the 15th, and, on the morrow, imprisoned in the Castle of Lochleven. Murray was presently sent for, and plied, said the ambassador, Norris, with fair words, and great promises, if he would use his influence, to get the queen, and her son, into France; and the French king added, that it should cost him dear, but that he would have them both safe within his kingdom. The Cardinal of Bourbon, the Constable, and D'Andelot, have been with the king, and his mother; to urge them, to leave no means unattempted, to effect this enterprise: And thinking to do it the sooner, by Murray's help, they offered him the order, and also great gifts of land, and living: To which end, I understand, continues Norris, young Villeroy is gone into Scotland, to offer them of the spirituality, spiritual promotions, and honours, and to the temporal lords, such temporal preferments, and honours, as he thinketh may best win those, that be now the chiefest, and in most authority [b]. We thus perceive the corrupt transaction, between the French Court, and Murray! He received large sums of money, for doing certain things, according to a promise, which he never intended to perform: If he be a swindler, who obtains property, on false pretences, what must he be, who obtained money, and a pension, on promises, which Murray had no purpose to perform?

As soon as Murray understood, at Paris, that his partisans, and

[b] Norris's letter to Elizabeth, 2d July 1566, in the Brit. Mus. from the original in the Pap. Office. It was afterwards said, by Throgmorton to Elizabeth, in his letter of the 12th of August from Edinburgh: "I am sure, your majesty is advertised of the present the Lord of Murray had given him, at his coming forth of France, which was valued at fifteen hundred crowns of the sum, and of the pension, that Lynerolle [the French envoy] hath brought him of 4000 franks yearly." [In the Brit. Museum.]

agents, had successfully executed the previous plot of dethroning the queen, than he began to think "to make his repayre home:" But, he at the same time resolved to send his agent Elphinston, through London, to Edinburgh[c]. As he was strongly suspected, by Mary's ambassador, at Paris, of sinister intentions, with regard to his sovereign, an order was issued to arrest him[d]. The English ambassador, under the instructions of Cecil, was too artful, and active, for the French councils. He sent his Secretary, Jenye, to secure a vessel, for Murray's safe conveyance, if he should even go to England, for a proper barke[e].

Meantime, Murray wrote a letter of credence to Cecil, by his agent Elphinston, whom he sent into England, for such causes, as he would declare at length, and requests Cecil to credit him. "Upon this respect (says Murray) I will not write your lordship, at sic length, as I would haif done utherways: I believe alwayes, that your lordship will put to your helping-hand, when occasion

---

[c] Norris's letter to Elizabeth, 2d July 1566. [d] Keith's *Pref.* ix. *Ib.* p. 412.

[e] The following letter, from Jenye to Cecil, dated, at Rye, the 13th of July 1566, throws much light on Murray's retreat from France: "It may please you (Rt. Hon. Sir) that my Lord of Murray, finding himself, by his long delays of the French king, as also in hazard of detaining, by force, beside some peril of his person, by such as have grudged much his affection towards England, required my lord, my master [the English ambassador, Norris] to assist him, by some policy, to escape secretly out of France: Whereupon, I was dispatched towards Deepe, to staye some English barke, under some colour; (for my Lord of Murray will pass in no Frenchman) and if I found not an Englishman there, to haste over hither, to Rye, to provide him with all diligence; where, I am arrived this afternoon, at four of the clocke; and meanes, as soon as tide, and wind serves, God willing! to repair towards Deepe again, where a messenger attends my arrival, to give knowledge to my Lord of Murray, at the court, whereby, he may, under the assurance of his vessel, determine, and adventure his purpose.

"The Prince of Condé his sudden departure, from the court, both with much difficulty, and much miscontentment, as also other emulation in courte, and differences otherwhere, which promiseth some new garboyle, is one particular of the mistrust, my Lord of Murray hath of himself; besides other cause, with the rest, which I have by word of mouth to advertise your honour of, at my arrival with you, which shall be, God willing! so soon as I have landed my Lord of Murray, in what of En-

offers; as ye haif done at other tymes afoir[f]." This note is in the true character of Murray, who, from his usual caution, would not commit his full purpose to writing; but, referred to an agent, for an exposition, who was not himself intrusted, by his employer. But, what was the mighty design, for which the powerful hand of Cecil was thus required? It was only the dethronement of the Scotish queen; the coronation of her infant son; and his own appointment, as Regent, during the king's minority. Whatever there may be in this, we have now evidence, under Murray's hand, that he was engaged in some plot.

At length, on the 8th of July 1567, arrived at London, Elphinston from Murray, at Paris. He had an hour's conversation with Elizabeth. He had brought letters, from Murray, to the queen of Scots, which he was charged, not to deliver to any hands, but her own; and particularly, that the lords, who detained the queen in prison, should not see them; as he was not satisfied with their conduct, in proceeding so violently against her; and as he would be her true servant, in all fortunes[g]. After imposing upon the French court, Murray endeavoured, thus, to delude Elizabeth, who, in a melting moment, disapproved of subjects dethroning their sovereign. Murray, knowing this disposition of Elizabeth, gave in to her sentiments, in order to delude her[h]. And

gland, soever it be. Thus in haste, I humbly take my leave of your honour, from Rye this 13th July." [Copy in the Brit. Museum, from the original in the Paper Office.]

[f] At Paris this 2d of July 1567.

[g] Heneage's letter, from the court, to Cecil, in London, 8th July 1567; conveying Elizabeth's orders to him. [In the Brit. Mus. from the original in the Paper Office.]

[h] When Elphinston arrived at Edinburgh, from Murray, the Lords, who had imprisoned the queen of Scots, would not allow him to have access to the queen, nor to send my Lord of Murray's letter unto her. [Throgmorton's letter to Elizabeth, from Edinburgh, 16th July 1566, in the Brit. Mus.] He repeated this intimation, in his letter to Cecil of the 18th of July; and in that to Elizabeth of the 19th of July. [*Id.*] The Lords, who did this, were Murray's agents, and coadjutors; and they did this, in order to show, hypocritically, that they were not influenced by Murray, though they acted, for him.

she was, certainly, persuaded, that there was not so honourable, and true a servant, as Murray, to the queen in Scotland. Thus is it, for such a personage, as Elizabeth, to be deluded, by such a hypocrite!

Murray seems to have arrived, from France, at London, towards the end of July, accompanied with his usual propensity to imposition. Cecil, and he, agreed perfectly together; as they both, on that occasion, tried, to delude Elizabeth, and to injure Mary. Murray remained not long, at London, considering the critical state of affairs, at Edinburgh. He, however, went out of his way, to visit Sir Francis Mildmay, at Apthorpe, where he played off his accustomed artifices[1].

Having Cecil's protection, Murray found the road, through England to Berwick, very easy to him. He rested the night of the 10th of August, at Whittingham, which was propitious to intrigue; and here was he met, by Secretary Maitland, whose intrigues were here recollected. Here were Murray's future movements agreed upon, and detailed, with this able agent. On the 11th, Murray set out, for Edinburgh; and he was met by great numbers of gentlemen, and others. Throgmorton, thinking to promote Elizabeth's ends, met Murray on the road, about three or four miles distant, from the capital. He found Murray very *honourable, sincere*, and *direct;* so I found him not resolved what he will do, nor what he will consent unto: *Abhorring on the one side the murder of the king, and the cir-*

[1] Mildmay's letter to Cecil, 4th August 1567, from Apthorpe. "If the government (said Mildmay) rest, only, in the Earl of Murray, it will be well, as I think, for stablishing of religion, and continuance of amity here; for otherwise, as you know, amongst many are many affections: His Lordship, passing homewards, was content to come so far out of his way, as to lye with me, on Friday night last. I found him very wise, and well affected to the maintenance of good friendship, between these two realms; remembering to me, very thankfully, benefits received, especially, that of Lithe, which he said was able to wash out all particular griefs. Doubtful, methought he was, to receive his *prepared* authority." [In the Brit. Mus. a copy from the original in the Paper Office.]

cumstances conjoined therewith, which he can like in no wise should pass with impunity[k]: So, on the other side, do I find in him great commiseration towards the queen his sister: And yet not fully determined, whether he will accept the regency, or refuse it; though he be pressed thereto, by all those lords and gentlemen, which have dealt, in this action. What hypocrisy, in Murray! What delusion, in Throgmorton! We have already seen, that every event, which had taken place, the imprisonment of the queen; the coronation of her son; the appointment of Murray, as regent; had all been agreed upon, between Murray and his partisans, before he had left Edinburgh for Paris. And Murray's whole *conduct*, and *conversation*, from the moment that he learned, from his agent, of the queen's imprisonment, were assumed, and directed, by the deepest dissimulation, for mere popular effect. Acting thus, Murray was received into the town of Edinburgh, with great joy of all the people[l].

After some days of intrigue, Murray was declared Regent, in the following manner: At a great assembly of lords, barons, gentlemen, and others, in the Tolbooth of Edinburgh, the Justice Clerk, publicly, read the queen's Commission of Regency, under her hand, and privy seal: Whereupon, the Justice Clerk willed the said earl, in the queen, and king's names, to accept the said charge, and to proceed to the taking of his oath. Thereupon, the earl made a long discourse; stating his insufficiency, for that charge: Notwithstanding, being again pressed, by the Justice Clerk, in the names of the queen, and king, and by the intercession of the other lords, and the assistants, the earl did accept the office of Regent: Whereupon, the Justice Clerk did administer to the regent the same coronation oath, which Morton had taken, when the infant king was crowned: There were now certain articles read unto

[k] The attentive reader will easily recollect, that Murray's agents, and faction, were the murderers of the late king.

[l] The whole of the above account was taken, from Throgmorton's letter to Elizabeth, from Edinburgh, 12th August 1567, in the British Museum.

the Lords, which were proposed, by Murray, to be consented to, by them. This done, the earl took his place, as Regent; and there was great joy made amongst all sorts, said Throgmorton to Elizabeth [m]. This ceremonial was contrived, for stage effect: But, as to the refusal of Murray to accept the regency, which he had committed so many crimes to obtain, this can only be regarded, as another example of the profound dissimulation, whereof he was so great an adept.

The articles, which were, on that occasion, made between Murray, and his own agents, and partisans, is another proof of the gross duplicity of all the parties [n]. The entering into such articles

---

[m] In his letter, from Edinburgh, of the 23d of August 1567, in the Brit. Museum. See also Birrel's *Diary*, ii.: On the 22d of August James Earl of Murray was made, and proclaimed regent, with great solemnity, by the heralds, at the Cross, till the king should attain his age of seventeen.

[n] The following is a copy of the articles, which were sent up to Elizabeth, by Throgmorton; and which remain in the Brit. Museum: They begin with a recital of the queen's resignation, and appointment of Murray, as regent, his fitness, reluctant acceptance, and the necessity of effectual support, and concurrence of the council, nobility, and estates; for which purpose, the following articles were agreed on. 2d. They shall concur with the Regent, in establishing the true religion, &c.; and for this effect, as well as for other things, concerning the policy, and government of the realm, a Parliament shall be held, as soon as it may goodly be. 3d. They shall concur with him, in setting forth justice equally to the lieges, according to the laws. 4th. The council, and nobility, shall accompany, and remain with the Regent, in such places, as shall be thought expedient until the king's authority be, universally, established, through the whole realm. 5th. That upright, and proper persons shall be placed in the public offices; and the others, who now hold them, shall be removed therefrom. 6th. No respect, or remission, shall be granted to any person, for any murder, or other equivalent crime, which shall be committed, from this date, during the time of his regency. 7th. At the Regent's proceedings, for maintaining authority, executing justice, &c. none of the council, or nobles, shall grudge, but shall give him assistance. 8th. Item, on the other side, my lord Regent faithfully promises, that in no time, during his regency, he shall contract with any foreign princes, toward peace, war, the estate of our sovereign lord the king, his marriage, the liberty of the queen his mother, nor shall speak with her, send writing to her, or have intelligence of any sort with her, without the advice of my lords of the secret council present, or of the most part of them.

was designed to delude the great vulgar, and the small, to suppose, that similar agreements were not made between Murray and his agents, and partisans, before he went from Scotland to France. The last article was so contrived, as to enable the Regent, to set aside the promises, which he had given, in France, and perhaps, in England, for relieving the Scotish queen.

As Murray had departed, from Edinburgh, on the 9th of April, and returned, on the 11th of August, he was absent five months: while the most important events had been effected, for the common benefit of Cecil, and Murray. 1st. Morton, and Maitland, with the aid of Murray's partisans, tried, and acquitted Bothwell, for the murder of the king: Now; Bothwell could not be tried, a second time, for the same offence: Could Morton, and Maitland, again charge Bothwell with that offence, without criminating themselves? 2dly. Morton, and Maitland, by artifices, and violence, enabled Bothwell to marry the queen, by means, which were treason in him, but inferred no guilt in her. 3dly. Against this marriage, thus consummated, by their guilty artifices, and by his treasonous coercion, Morton and Maitland, two of the king's murderers, and Murray's agents, drew their swords, upon the avowed pretence, of freeing the queen, from the bondage of Bothwell; yet, when she left her army, and Bothwell, and joined Morton, and his insurgents, on condition of their obeying her, as their queen, he made her a prisoner, and sent her to Lochleven-castle; allowing Bothwell to depart, without obstruction, from this treacherous scene. 4thly. This consummation of one of the great steps of their conspiracy, Morton, Maitland, and the other conspirators, immediately, communicated to Murray, by letters, which they inclosed to Cecil, by Robert Melvill, another instrument of Murray, who was said, by Cecil, to have come, from *the Scotish queen*, and *not from the insurgents*: Thus happy were all those statesmen, in the convenient terms, wherein they concealed their artifices, and their objects! So much was Murray deemed, by the insurgents, as the chief of their conspiracy, that they refused, to treat any more

with Throgmorton, Elizabeth's agent, till Murray arrived among them°.—5thly. On the 24th of July, they compelled the imprisoned queen, by their usual artifice, and violences, to resign her sceptre to her infant son, whom they, immediately, crowned, and to appoint Murray, as his regent, during his infancy.—6thly. If it be asked, by what authority the queen's son was crowned, and Murray appointed regent, since the Parliament did not meet till the subsequent December? the answer may be given, in the audacious falsehood of Secretary Maitland, in the *voluntary hand writing* of *the queen*, commanding the coronation of her son: At the coronation, this *falsehood* was *sworn* to be *fact*, by the Lords Lindsay, and Ruthven, the two wardens of the queen, who compelled their imprisoned sovereign, by threats, violences, and terror, to sign the acts of resignation of her sceptre, and the appointment of Murray, as regent: The true answer must be, that the coronation of the boy James, and the appointment of the conspirator Murray, as his regent, proceeded from the unhallowed direction of the *secret council*, consisting of six, or eight, nobles, with the murderer, Morton, at their head, and the treacherous Maitland, as their secretary. The result, then, is, that Murray was one of the original conspirators against the late king, and queen; that he knew, when he went to France, the whole detail of what was to happen to the queen; and what would be the consequence to himself, in being placed, by a series of villanies, and treasons, in the vice-regal chair. The moment, that the dethronement of the queen was effected, by her imprisonment, he resolved, with the aid of Cecil, and Norris, to return to England, whose zeal, and whose efforts, for that end, we have seen: He, meantime, by a duplicity, which was natural to him, imposed upon the French court; deluded Elizabeth; and deceived the friends of the Scotish queen. In a letter to Cecil, Murray professes his sincerity; and at the same time, assures his correspondent, that the regency was

° Throgmorton's letter to Elizabeth, 5th August 1567, in the Paper Office.

an office *neither welcome* nor *pleasing to him* [p]. But, amidst so much profligacy, it is almost impossible to hear the voice of sincerity, or to understand the dictates of truth. Certain it is, however, that the appointment of Murray, as regent, by his own agents, and fellow-conspirators, is a decisive proof, that the revolt, which produced it, under the management of Morton, and Maitland, was made for his benefit, as we must even infer, from the busy interference of Cecil; and was, moreover, the only genuine *denouement* of the sad tragedy, that was written, with blood, in Craigmillar-castle, when the queen refused, so decisively, to be divorced from Darnley. It is a remark of L'Estrange, which applies, very appositely, to the conspiracy of Craigmillar-castle: "If one were to launch into the history of human nature, we should find, the *minions of princes*, linked in conspiracies against their masters." The whole reign of Mary is a continued proof of this just intimation. It was a period of plots; owing to the treachery, and talents, of Secretary Maitland, the active agent of the Earl of Murray.

The great efforts, that were made to relieve the Scotish queen, from her unmerited imprisonment, altogether failed. The French king, Charles IX. was her sincere, and active friend: But, the queen-mother was her zealous, and insidious, enemy: The agents, who came, from Paris, to Edinburgh, were actuated, by such contrarieties of conduct, which was of little value to the unhappy queen, and less credit to themselves. Elizabeth, in a melting mood, took part with Mary; as she was not much pleased to see such nobles imprison their sovereign: But, Cecil traversed his queen's good purposes: And when Throgmorton arrived, at Edin-

[p] A copy in the Brit. Mus. from the original in the Paper Office, dated, from Edinburgh, the 30th August 1567. Murray always writes like a man, who wishes to conceal the one half of what he has to say. He, however, tried to make Cecil understand, that he was not one of his highness's mortal enemies, the murderers of the king his father. It cannot be too often repeated, that the leading men, Morton, and Maitland, Murray's agents, were two of the principal murderers of the late king; and that Murray himself was the chief conspirator.

burgh, to solicit the cause of Mary, he acted under public instructions, from Elizabeth, and private instructions, from Cecil. Morton, Maitland, and other nobles, who held the queen, in bondage, knew the opinions of Cecil; and whatever might be their conduct to Mary, they foresaw would be protected by that powerful minister. Murray, with all his promises to Charles IX., and his blandishments to Elizabeth, had always aimed at the queen's sceptre, which he now enjoyed, and said, and unsaid, whatever suited his purpose, with regard to the Scotish queen, of whose ruin he had been the principal plotter. Those insurgents, with Morton, and Maitland, at their heads, who held their sovereign, in durance, Murray could have commanded, as his agents, and partisans: But, his dissimulation induced him, to be overruled, by them, in whatever related to her relief. Soon after the coronation of her son, she was taken with several fits of an ague, and kept her bed[q]: She not only kept her bed, but, notwithstanding her son's coronation, she was guarded, in the same place, as straitly as she had ever been; Lord Lindsay being returned from Stirling to Lochleven[r]: They thus acted towards the unhappy queen, to evince, how voluntarily, she had resigned her sceptre, how willingly, she had commanded the chiefs of the insurgents, Morton, and Maitland, to crown her son.

As soon as Murray became regent, he avowed, that there should be no subject, nor place, within the realm, exempted from the king's authority, and that none should be exempted, from obeying him, as regent; otherwise he would stake his life, in the matter[s]. This was said, to overawe the many considerable persons,

---

[q] Throgmorton to Elizabeth, from Edinburgh, the 26th July 1567.

[r] *Ib.* 31st July, in the Brit. Mus. from the original in the Paper Office. In his letter of the 2d of August to Elizabeth, Throgmorton informed her: "The queen of Scotland is straitlier kept, at Lochleven, than she was yet; for now she is shut up in a tower, and can have none admitted to speak with her, but, such as be shut up with her." [In the Brit. Mus. from a copy in the Paper Office.]

[s] Throgmorton's letter to Elizabeth, from Edinburgh, 23d August.

and places, who either denied the legality of the coronation, or resisted the king's proclamation. With the same design, several persons of note were summoned to answer the charge of being guilty of the late king's murder. But, knowing their own innocence, they did not hesitate to appear; offering to meet the charge. Considering that Murray, and his partisans, were the real murderers of the king, they carried too far this affectation of innocence, by a zeal for punishing even the least suspected persons of such a crime [t].

The Regent soon acquired, by the corruptest means, possession of Edinburgh-castle: He, after a while, acquired Dunbar-castle, by force, and negotiation: Before the end of September 1567, by ardour, activity, and artifice, qualities these, which cannot be denied him, the Regent had compelled every place, and person, to yield to his power. He trusted, however, for the support of his authority, to the insurgent nobles, who had conferred on him the regency, with the spoils of the queen; to the reformed clergy, who supposed themselves to owe nothing to the queen, who had protected them, and given them bread; and above all, Murray trusted to the artifices, and protection, of Cecil, whom he courted, by every mode of servility [u].

The insurgents, even in the height of their success, owing to their artifices, bethought themselves of proofs, which might justify their recent conduct, that in every law amounted to treason. The queen, under the influence of a negotiation, voluntarily surrendered herself to the insurgent nobles; expecting to be treated, as their sovereign. They imprisoned her; they dethroned her; they crowned her son; they appointed Murray the boy's regent. Mur-

[t] Throgmorton's letter to Elizabeth, 23d August 1567: On the 23d of August, there ought to have appeared forty persons, who were suspected; but, there only appeared three of them; Sir James Cockburn of Skyrling, Sir Patrick Hepburn of Rycardton, and William Edmonstone, the son of the Parson of Talla: But, they were dismissed, to appear at a future day.

[u] Murray's letter to Cecil before quoted; and the *Cabala*, everywhere.

ray now approved of their measures, for those ends; adopting their pretences, in the place of proofs.

The country, the clergy, the parliament, as it approached, seemed to require some other motives, and reasons, for the justification of their sovereign's imprisonment, than mere pretences. The warrant, for her commitment to prison, upon deliberate consideration, was regarded, as little more than pretence. They even relinquished the several charges, which they had avowed to Throgmorton, by the tongue, and pen, of Maitland, as sufficient proofs of her guilt, before Murray's arrival, from his deceptive journey to Paris, and London. At length, after the best consideration of the ablest, the artfullest, the basest men, Murray called a numerous Privy Council of his adherents, with the guilty Morton, and Maitland, as their advisers, on the 4th of December 1567. They now discussed those essential points of justification, for their treasonous conduct, as preparatory to an Act of Parliament, for legalising their whole conduct against their sovereign; consisting of treachery, and artifice, of violence, and wrong, of imprisonment, and divestment of regality, done, and performed, against an innocent queen, by half a dozen nobles, with the murderous Morton, in their front: And, for so many villanies, what was their justification, if they admitted of any justification? They laid it down, as a maxim, that nothing can stand, when accurately examined, but what is founded on *naked truth.* Then, what was their *naked truth?* It was the queen's *own default:* For it appeared, by her private letters, written, and *subscribed,* by her own hand, and sent by her, to Earl Bothwell, who was the *catspaw* of Murray, and his faction, in murdering the late king; who was tried for this foul offence, by Murray's partisans, and acquitted, by the management of Morton, and Maitland, Murray's agents. To demonstrate *the default* of the *queen,* they, no doubt, brought *proofs of holy writ.* No. They brought the queen's letters, written, and subscribed, by the queen's own hand, into the Privy Council, to *demonstrate her default.* No: They were not produced, in evidence.

Morton, only, said, that he had intercepted a gilt box, full of the said letters, written, and subscribed, by the queen's own hand, in the possession of Dalgleish, Bothwell's servant, who was then, in their custody, who had brought them, from Sir James Balfour, the governor of the castle, who was then in the Privy Council. Were Morton, Dalgleish, and Balfour, examined, concerning this important transaction, which was to make out the *naked truth* of the queen's default? No: There was no examination of any person, or of any thing: The whole discovery of the box-full of letters rested, then, upon the mere assertion of Morton, a common liar, and habitual falsifier. It is not true, therefore, that any such letters were produced, in the Privy Council: It is as little true, that any such box with letters had been ever intercepted [x]. But, they went on to say, that by an improvident marriage, soon after the king's murder, of the queen with Bothwell, it is most certain, that she was privy to the murder of her husband. They concealed, however, the whole circumstances, attending the marriage, which would have evinced her innocence. They concealed, that Morton, and Maitland, Murray's agents, had obtained the acquittal of Bothwell, when tried for the king's murder; and that Morton, and Maitland, soon after obtained a declaration from many peers, and prelates; declaring the innocence of Bothwell; and recommending him, as the fittest husband, for the queen: They concealed, that Bothwell, with such a declaration in his pocket, went out, at the head of an armed force, and arrested the queen's person, carried

[x] Like other inquirers, I once thought, that the said letters must have been shown, in the Privy Council; as so much was to be built upon them: But, upon considering the Privy Council Record, an original of which, I saw in the Paper Office, I did not perceive, that it recites the production of the letters; it only says, that they existed: And what the record does not recite, we cannot supply, by any presumption: As the record is silent, we must be, also, silent: Neither does there appear to have been any question asked of those, who were said to have seen that box-full of letters; Sir James Balfour, who had the keeping of them; Dalgleish, who had the carrying of them; Morton, who intercepted them: And, what does not appear, we are bound, by every rule of prudence, to presume does not exist.

her forcibly to the castle of Dunbar, and therein coerced her to agree to marry him; Maitland, the Secretary, being present, to delude the queen with false advice. The treasonable conduct of Bothwell, in applying coercion to the queen's person, was afterwards made, by Murray's Parliament, the grounds of attainting him of treason; So that the inference drawn, in the Privy Council, that the queen knew of the murder of her husband, because she married Bothwell, who had been publicly declared innocent of the murder, is futile, and false. And, thus did they fail, egregiously, in making out the *default* of the queen, as the best justification of the guilty persons, who imprisoned her. It is said, also, as an additional ground of justification of the insurgents, that *a great part of the nobility*, fearing that the queen, and Bothwell, would murder them, as the king had been murdered, took arms: It is not true, that a great part of the nobility took arms: Admit the fact, that the queen had been as guilty, as she was innocent, of her husband's murder; yet, half a dozen nobles, with Morton, and Maitland, two of the king's murderers, at their head, had no right to dethrone the queen: It ought to have been done, *by a national act.* Murray, and his faction, thus egregiously failed, in finding a justification, for the insurgents, and in fixing any guilt upon the queen. Murray disgraced himself, on that occasion, by involving himself, in the iniquities of his faction. He disgraced himself, by speaking of those supposititious letters, which he was afraid to produce in evidence, as genuine: He disgraced himself, by concealing those circumstances of fraud, and force, which attended the queen's marriage to Bothwell. But, Murray was, by habit, a hypocrite; and by acting on hypocritical principles, through life, entailed upon himself eternal disgrace.

The scene of inquiry, and of justification, was, in ten days, transferred, from the Privy Council, where there had been so little inquiry, or justification, to the first Parliament of James VI., and of the regent Murray. Little more seems now to have been done, than to transmit the minute of the Privy Council, which is full of

fiction, and falsehood, to the Committee of Articles, who formed it into an act of parliament, for justification of those guilty insurgents. In this committee of this parliament, in which the murderer, Morton, presided, there was as little examination of circumstances, or of persons, or of papers, as there had been, in the Privy Council[y]; though an act was to be grounded on the proceeding, in that council, for justifying a thousand wrongs, for criminating the queen, by means of fiction, of forgery, and of falsehood; though a revolution in the government was legalized, on no better grounds, than the gross delusion, arising from those fictions, forgeries, and falsehoods.

Murray's Parliament at length proceeded, to try Bothwell, who had acted, as Murray's *catspaw*, in the murder of the late king. He was charged, though he had been acquitted, with various points of treason: He was charged with the king's murder; he was charged with, traitorously, intercepting of the queen's noble person, in her way from Stirling to Edinburgh; with carrying her, by force, to Dunbar-castle; with therein compelling the queen, by force, and fear, while thus detained a prisoner, to agree to marry him, though he had then a lawful wife. Of all those treasons, Bothwell was found guilty, and forfeited[z]; though the facts, on which he was forfeited, at the same time, acquitted the queen of any guilt: The great difference, between the act justifying the insurgents, by the default of the queen, and the act, thus attainting Bothwell, consists of these material circumstances, that the statements, in the first act, are all false; while the statements, in

---

[y] The supposititious letters, which had been attributed to the queen, in the Privy Council, were not produced in Parliament; as the act is silent on this important point: But, there is a discrepancy between the Register of the Privy Council, and the Act of Parliament, founded on it, which has been deemed important: The register said, that the queen's letters were written, and *subscribed* by her own hand; the act stated, that they were wholly written, by the queen's hand, but not subscribed. There were other *discrepancies*, which tend to prove forgeries, and fictions, without end. Goodall, ii. 64; *Black Acts of that Parl*, ch. 19.

[z] *Acta Parl.* iii. 6-7, 8-9.

the last, are all true: By the falsehoods of the first, the queen could not be criminated; by the truths of the last, she was acquitted of any guilt. Such then, were the treacherous grounds, upon which Murray's Parliament of December 1567, legalized Mary's dethronement, and Murray's regency. If the proceedings of the Privy Council, in the same month, disgraced him, the acts of this Parliament, which were founded on those proceedings, covered his dissimulation, with ignominy.

The administration of Murray, which was thus established, was altogether suitable to the savage manners of a degenerate people, vigorous and unfeeling. He punished some, who were guilty of the king's murder, and some, who were innocent. Morton, the Chancellor, and Maitland, the Secretary, were, with himself, the most guilty, as the most influential; yet, were they rewarded, but not punished. The French ambassador Lygnerol, who had acted, like the servant of two masters, at length applied to the regent, for the queen's release; but, his requisition, which was plainly founded, in an engagement, for a valuable consideration, Murray easily evaded, by saying what was not altogether true; that she was not so much his prisoner, as the Parliament's[a]; who

[a] *Acta Parl.* iii. 28. This act legalizes the guilty conduct of those, who imprisoned the queen: But, it may be doubted, whether it, expressly, authorized the detaining of the queen, in future, though every willing intellect may infer, that her future imprisonment was, virtually, implied. In the proclamation of the Regent, and the Privy Council, from Glasgow, the 3d of May 1568, it is said: "Forasmuch as my Lord Regent's grace, and the Lords of the Secret Council being advertised, how that the queen, mother to our sovereign lord, being put, and keepit, in the place of Lochleven, by the advice, and consent, of the Estates in Parliament, is now escapit." Keith's *App.* 155. This recital of Murray, and his Privy Council, is untrue. The queen was put into Lochleven-castle, by the unauthorized warrant of Morton, and six other persons; but not by the Estates: Nor, was it true, that the queen was kept, in the same castle, by the authority, or advice of the Estates. None of the acts of Parliament of December 1567, provided, for detaining the queen a prisoner, in future. On the said 3d of May, this was a case unprovided for, by any positive law: And, therefore, the Regent Murray, unwarrantably, asserted to be true what was untrue, both in *fact*, and *law*. The notion of imprisoning *the king's mother*, by implication,

had *voted her* to be faulty upon faulty proofs: Did ever any other Parliament legalize a revolution *without inquiry?* Did any Parliament ever imprison a queen, their sovereign, before, without a charge, and proofs? Her supposititious letters were not produced in evidence, and her marriage with Bothwell, was, by the act of his attainder, declared to be a coerced, not a voluntary marriage. Murray, by acting, as we have seen, both in the Privy Council, and in the Parliament, made the queen the victim of his ambition, by charging her with his own crimes, without producing one iota of proof. His Parliament, by legalizing all the violences, and villanies of his faction against his sovereign, without calling for proofs, or examining persons, disgraced themselves, rather than the queen.

In the midst of the Regent's security, the queen made her escape, from Lochleven-castle, on the 2d of May 1568; owing to the assistance of George, and William Douglas, the one, a youth, the other, a boy: But, her triumph was short. In attempting to find a safe retreat, in Dunbarton-castle, her little army was defeated, by the Regent's vigour, on the 13th of the same month, at Langside. During her flight, her fears induced her to suppose, from a recollection of deceptive promises, that Elizabeth would give her an asylum, and aid, who only gave her a prison, and persecution. Cecil, her greatest enemy, secretly, rejoiced, when he heard of her arrival, at Carlisle; as he had her now in his power, for whom he had laid so many snares. Mary, though she knew, that she was hated, by the queen-mother of France, might have relied on the attachment, and protection, of Charles IX., who had a great friendship for the Scotish queen.

What Mary could expect, from her *good sister* of England, advised as she was, by such a minister, as Cecil, cannot easily be

---

was a part of the guilty code of the Regent Murray, which came down to him, from that very virtuous character, Lord Chancellor Morton, the assassin of Rizzio, the murderer of the king.

conceived. The Scotish queen, however, wrote from Carlisle several letters to Elizabeth, which are instructive, and eloquent; and she solicited Elizabeth's aid, for her restoration, by the personal instances of Lord Herries, who served her with spirit, and fidelity, though he had been maligned, by Knollys, the queen's warden: But, her rival queen would consent to little more, than to hear the mutual pretensions of Mary, and Murray; and to prevent the Regent, from ruining, by his violence, the friends, and adherents, of the Scotish queen. Notwithstanding Elizabeth's application to Murray, he went on, with his usual resentment, to cast down the houses of some, to execute others, who were forfeited, by the Parliament, which he, purposely, called, for those ends of vengeance[b].

The queen had been thus compelled, by a faction of her nobles, with Murray, at their head, to seek an asylum in England[c]. The unfortunate queen was, however, immediately placed *in ward*, at Carlisle; and so remained under the custody of the vice-chamberlain, Knollys, till she was *ordered*, to remove to Bolton-castle.

Meantime, ensued a correspondence between Elizabeth, and Murray, of matchless artifice; by which the English queen drew to herself an examination of the complaints of Mary against Murray; and, by the same means, Murray tried, to induce Elizabeth to prejudge the pretensions of both parties, without the knowledge of Mary[d]. That correspondence ended, at length, in the appoint-

---

[b] *Hist. K. James* VI. 42-6-7.

[c] The convention of peers, and prelates, at Dunbarton, of that measure assert: "And yet, they who have enterprised the same are not in number the sixth part of the nobility, nor of the people of the realm: And there are six or seven earls, who have vote in Parliament, before any of them, who have usurped their place; because with such treasonable, and deceitful means, they have obtained the strengths of the country, by great presents, and rewards, given to the traitors, who were the keepers thereof." [Goodall, ii. 354-5.]

[d] See Elizabeth's letter, in Goodall, ii. 75; wherein she scolds Murray, at a great rate; and, at the same time, slily accepts Murray's offer of "making declaration to her of his whole doings" against the Scotish queen. See what Murray, and his coun-

ment of an inquiry, at York, before Elizabeth's commissioners, the Duke of Norfolk, the Earl of Shrewsbury, and Sir Ralph Sadler, in the first week of October 1568. It is important to remark, that Murray, by his endeavours, to obtain queen Elizabeth's judgement, before hand, on the satisfactory qualities of his proofs, evinces his own opinion of the box-full of documents, as extremely suspicious, from what he knew of their history.

Understanding that this inquiry, which the English queen intended to have, at York, was to be attended "with great ceremony, and solemnities," Murray made suitable preparations, for the occasion: The Regent appointed himself, the Earl of Morton, and some other trusty friends, as the king's commissioners, with Secretary Maitland, and George Buchanan, two of the ablest, and most unprincipled of mankind, with some others, of a similar sort, for assistants. The queen was not wanting on her part. As her commissioners, she appointed Lesley, the Bishop of Ross, Lord Herries, and some others of less note, for their skill, and energy: And, to give greater authority, and lustre, to their commission, they had also powers, and instructions, from the loyal convention of peers, and prelates, at Dunbarton, in September 1568.

Murray, as Regent, now took upon him, the *whole burden of foresight*. Owing to this circumstance, it was, that he gave to Morton a formal receipt, for the said box, and letters[e]. This

---

sellors, said to Middlemore, Elizabeth's agent, in Goodall, ii. 75; wherein Murray talks of having the Scotish queen's *privy letters*, which, in their opinions, sufficiently proved her consent to the murder of her husband: In this document of the 22d of June 1568, they first intimate, that the queen's supposititious letters, which were written, in the vulgar language, when they were mentioned in the Privy Council, and Parliament of Scotland, during December 1567, had been *translated, into our language*, as if the originals had been written, in some other tongue.

[e] It ran in this manner: "At Edinburgh, the 16th of September 1568: The which day, I James, Earl of Murray, confess to have received, from James, Earl of Morton, a silver box overgilt with gold, with all privy letters, contracts, or obligations for marriage, sonnets, or love-ballades, and all other letters contained therein, sent, and passed, betwixt the queen, and James, sometime Earl Bothwell, which box,

formality of receipt, for a boxfull of forgeries, was thus given, by Murray, to Morton, in order to bolster up those despicable forgeries, which were intended to prove the charge, which they intended to make against the queen, for the murder of her husband, which had been committed by themselves. But, who proved, that such a boxfull of letters had been ever intercepted, by Morton? Morton, the falsifier, said, that he had intercepted them on Dalgleish, as he was, in the act of carrying them, from Sir James Balfour, the keeper of the castle. Was Dalgleish, though they had him as a prisoner, ever examined, with regard to the boxfull of letters? No. Was Balfour ever examined? No. Was any one ever examined, in Scotland, to ascertain the truth? No. The queen, when she heard, that the conspirators pretended to have found a boxfull of her letters, denied, that she ever wrote such letters. The negation of the queen is more persuasive, than the affirmation of Morton; as the denial of honesty is more probative, than the assertion of knavery.

The period of the letters was, from the 20th of January 1566-7 to the 10th of the subsequent February. In this period, Morton knew, that Bothwell had not any such documents, under the queen's hand. In this period, the queen was completely reconciled to her husband; and went to Glasgow, to bring him to Edinburgh. Some of those letters were dated, from Glasgow, before the 25th of January in that year: But, the queen was, then, at Edinburgh. Some of those letters, were plainly dated, from Stirling, with regard to the queen's interception, by Bothwell: But, the act of Bothwell's forfeiture, ascertains facts, which are inconsistent with the truth of such letters. Now; what is there opposed to those invincible posi-

---

with the whole writings therein, were taken, and found, with the late George Dalgleish, the servant to the said Bothwell, upon the 20th of June 1567,'" &c. &c. [Goodall, ii. 90. From the Register of Murray's Privy Council.] It is unnecessary to observe, that when Morton entered Holyrood-house, on the queen's flight, he obtained possession of her jewels, and property, with this silver box, overgilt with gold.

tions? The answer must be, the assertion of a falsifier, and the confirmation of a liar.

With whom did Bothwell act, from the epoch of the conspiracy against the king and queen? With Murray, and his faction. Did not Bothwell, and Maitland, meet Morton, at Whittingham, to concert the murder of Darnley? Yes. Were not Morton, and Maitland, the agents of Murray? Yes. Bothwell, then, contributed his aid to the murder of Darnley, in concert with Maitland, Morton, and Murray; and not with the queen. How, was Bothwell employed, in the period of those supposititious letters [from 20th of January to 10th of February]? The answer must be, In providing men, and means, to murder Darnley. How was the queen employed in the same period? In taking care of her husband, with the aid of her physician.

Did not Morton, and Maitland, as Murray's agents, obtain the acquittal of Bothwell, when he was tried for the murder of Darnley? Yes. Did not Morton, and Maitland, procure a declaration from certain peers, and prelates, of the innocence of Bothwell, and of his fitness, for the husband of the queen? Yes. Did not that declaration embolden Bothwell, to arrest the queen on the highway; to carry her, by force, to the castle of Dunbar; to enforce the queen therein, to consent to marry him? Yes. Were not these the three treasonous facts, for which Murray's Parliament of December 1567 forfeited Bothwell? Yes. These facts being true, we must perceive, that her marriage was enforced, and not voluntary.

Was it not fiction, and falsehood, with which Murray charged the queen, in his Privy Council of the 4th of December 1567, and in his Parliament of the 15th, as justifications, for the queen's dethronement? Yes. Did she write such letters to Bothwell? No. Was she privy to the murder of her husband? No. Was she not enforced to marry Bothwell, by the artifices, and coercions, which Bothwell used, by the means of Morton, and Maitland, as agents of Murray? Yes. Were not Morton, and Maitland, both convicted,

by Parliament, and punished, for the murder of Darnley? Yes. Did not they act for Murray, in that conspiracy? And did not Murray obtain, the great object of all his aims, the government of Scotland, by the queen's dethronement, under the force of Morton, and Maitland? Yes. He obtained the government, from those, who deforced the imprisoned queen; and not from the queen herself, who never assented to the papers, which, by fraud, and force, she was compelled to sign. And, Murray was of course appointed Regent, not by legitimate choice, but by guilty violence.

Did not Murray receive that boxfull of forgeries, from Morton, knowing them to be obvious fabrications? The formality of the receipt, which he gave to that audacious miscreant, for that boxfull of forgeries, is a full proof of Murray's knowledge of their spuriousness, and of his baseness, in adopting spurious, for real documents. He carried those forgeries into England, with the fell design, of charging the queen, his sister, and benefactress, with the murder of her husband, which he, and his agents, had committed, with Bothwell, for their instrument; whom they contrived, to make the victim of Murray's villany.

Murray, having in his communications with Elizabeth, felt his dangerous way; owing to the difficulty of his design, of proving the guilt of innocence, and of converting forgery into genuineness; he set out, from Edinburgh, to York, on the 21st of September 1568. The Regent was attended, on this disgraceful occasion, by his associates, and assessors: But, he was himself responsible, for the wickedness of the design, and the baseness of the execution. As it was the object of Elizabeth, and Cecil, to amuse France, and Spain, and to delude the Scotish queen; the commissioners, Norfolk, Sussex, and Sadler, took appropriate oaths, that they would act sincerely and uprightly, without any sinister affection, and should afore God, bear witness, to be honest, godly, just, and true[f].

[f] See the above-mentioned oath, in Goodall, ii. 12; and also the oaths of the king's, and queen's commissioners, to act honestly. *Ib.* 122-3.

Such, then, were the oaths, by which all parties, were bound to act fairly, and impartially. But, oaths, in that age, were not deemed of any efficacy. After some preliminary proceedings, the English commissioners, at the request of Murray, who was still afraid of his proofs, and continued to act as a miscreant, admitted his assistants, Maitland, MacGill, Buchanan, and Balnavys, four of the ablest, and wickedest men, in Scotland, to a secret conference, wherein they showed the English commissioners, and expounded, for their better instruction, all such proofs, and circumstances, as to induce a vehement presumption of the Scotish queen's guilt, and even to adjudge her guilty of her husband's murder. But, did the English commissioners, by acting thus *secretly*, and *partially*, act according to their oaths? No. They sent an abstract of the whole of what they had learned, at this *clandestine conference*, *secretly*, to Elizabeth, and supplied themselves with abstracts[g]. They thus seem to have decided the great object of the inquiry against the Scotish queen; but contrary to what had been Elizabeth's avowed intentions[h], though perhaps agreeable to her private wishes. They did this, however, by incurring the charge of perjury: Murray seems to have obtained, at the outset of this inquiry, by his knavery, the great object, of showing his own innocence, and Mary's guilt. Those clandestine proceedings were probably made, by the secret instructions of Cecil, to obtain a full view of Murray's proofs, and, at the same time, to collect matter of charge, and defamation, against the Scotish queen. Both those objects of Cecil seem to have been very fully obtained; while Elizabeth's passion, for slander of her hated cousin, was abundantly gratified[i].

---

[g] See their letter to Elizabeth, of the 9th of October 1568, in Goodall, ii. 139-40; and in Anderson's *Col.* i. 58.

[h] *Cabala*, 139.

[i] Sadler left behind him a Collection of State Papers, which had passed, through his hands; and which were published, in 1809: In Vol. ii. 337, there are given "the special words, in the queen of Scots' letter, *written with her own hand*, to Both well; declaring the inordinate, and filthie love, betwixt her, and him." We thus un-

It was here important, to lay before the reader, a specimen of those secret communications; in order to obtain an accurate view of the villany of one party, and the injustice, which was, thereby, done to the other. If Sadler's extracts be what he, expressly, says they were, the *very words*, that were copied, by him, from the letter, that was privately laid before the English commissioners; then, would this fact prove, that Murray, and his assessors, had in their box, the same forged letters, in *various editions*, all written, by the queen's own hand, in *different languages*, to suit every emergency: In this state of the subject, Sadler's ex-

---

derstand, from Sadler, that the above are the *very words* of the original letter of the Scotish queen, *written*, with *her own hand*; and those *very words* were written, in the *vulgar language* of a *vulgar people*. Let us now collate *Sadler's extracts* with the *genuine forgery*, in Goodall, ii. 1-2.

SADLER'S FABRICATED FORGERY.—[Letter i. from Glasgow.]

"First, That she being departed from the place where she lefte her harte, it was easie to be judged what was her countenaunce, seeing she was no more then a body without a harte: [That if she had not had a profe of her husband's herte of wax, and knowing her owne to be of a diamond (whereunto no shotte coulde make breche but that which cam out of Bothwell's hande), she wold have almost pitie of him, bidding Bothwell *not* to feare, for that the place shoulde holde unto the deth; in recompense whereof, she prayeth him, that he will not let his herte be woonne from her by *that false race**, that will travail no lesse with him for the same."]

* In the margin, "By this is meant Bothwell's wif."

GOODALL'S REAL FORGERY.—[Letter i. From Glasgow.]

"Being departit from the place, quhair I left my hart, it is esie to be judgeit quhat was my countenance, seeing that I was even als meckle as ane body without ane hart; quhilk was the occasion, that quhile dennertyme, I held purpose to nabody; nor yit durst any present themselfis unto me, judging yat it was not gude so to do."

[There is nothing of Sadler's second paragraph "That if she had not—" to the end; in the real forgery.]

N.B. The three distinct series of passages, which are published, in Sadler's papers, ii. p. 237-8-9; were all, taken by him, from the letter No. i. in Goodall, and not from several letters; and by collation, it appears, to have been greatly interpolated, not, indeed, by Sadler, but by the forgers themselves, before they laid this letter No. i. before the English commissioners.

tracts, *in the very words*, are important; as a new proof of the general forgery, and as a *fresh evidence*, that Murray, and his associates, had some *forgery*, or some *falsehood*, always at hand, for disgracing the Scotish queen, by calumniation, and supporting their own designs, by the basest means. Murray's associates, during their clandestine conference, constantly, affirmed, that those letters, and other documents, were written, by the queen's own hand; and they offered to swear, and take their oaths thereupon[k]: And yet were they not authenticated, by any proof. Whatever Murray's assessors might say, and offered to swear, the letter produced, and sonnets, were undoubtedly forgeries[l]. The commissioners seem to have believed every thing, which was said to them, by the men, who had an interest, in falsehood, and wrote every thing to Elizabeth, whether it were true, or false: Nor did they perceive, that they were acting contrary to their duty; as their conduct was in opposition to their oaths.

But, the present subservience of the Duke of Norfolk did not

---

[k] See the Commissioners' letter to Elizabeth, in Goodall, ii. 139-42.

[l] The letter exhibited was No. i. in Goodall's series, which is here called "a horrible and long letter, of her own hand, as they say." It was dated, from Glasgow, on the 24th of January 1566-7: Now; the public records of Scotland evince, that the queen still remained, at Edinburgh, on that day: And the queen was then reconciled to her husband; while Bothwell, to whom they were said to be addressed, was acting with those very men, as one of the king's murderers. In Mary's instructions to her commissioners, dated at Bolton, the 29th September 1568, she says: In case they allege to have any writing of hers, whence they may infer presumption against her; you shall desire the originals of such writings may be delivered, for her inspection: "For, you shall affirm, in my name, I never wrote any thing, concerning such a matter to any one: And if any such writings be, they are false, and feigned, forged and invented by themselves, only to my slander: And there are divers in Scotland, both men, and women, that can counterfeit my hand-writing, and write in like manner of writing, which I use, as well as myself; and principally, such as are in company with themselves." [Secretary Maitland]. Goodall's *App.* No. 136.] But, as the supposititious letters of the queen were not openly avowed as proofs, at York, though shown privately, the above instruction was not produced, by her commissioners: Hence, the injury to the Scotish queen, the villany of Murray, and the baseness of Elizabeth's commissioners.

protect him, from subsequent prosecution, for his conduct, on that occasion. Serjeant Barham, when arguing Elizabeth's charge against the unfortunate Norfolk, insisted, that he had perjured himself; for he had taken a corporal oath, to deal indifferently, on that inquiry [m]. It required not, indeed, the decisive authority of the learned serjeant, to prove, that commissioners, taking such an oath, for the faithful performance of their trust; yet, acting knavishly, were perjured: But, what shall we say of Elizabeth, who tempted, and impeached, like the *foul fiend?* What shall we think of Murray, who was summoned to answer his queen's charges, yet, often applied to his judges, for their opinions, if he had not proved her guilty of the crime, which he had himself committed? The whole inquiry, at York, was a gross scene of abomination, for its partiality, and injustice [n]; and ought to have been a warning voice to the Scotish queen, to close an inquiry, from which she could not expect any good, but receive infinite injury.

From the representations of the Bishop of Ross, and Lord Boyd, who went to her, from York, to Bolton, she knew, "that Murray and his party, had *privily* uttered to Elizabeth's commissioners, all that they were able to allege against her." She knew much more of the injurious, and disgraceful proceedings of the York inquiry [o]. Here, the Scotish queen, if she had been well advised; had she been less credulous, and less buoyed up, by delusive hope, ought to have made her stand against any further inquiry; unless Elizabeth would, fairly, communicate to her, every thing, and every document, which Murray, and his associates, had, *secretly*, communicated to the perjured Norfolk, Sussex, and Sadler, contrary to their duty, and character, in opposition to the original

[m] See Barham's speech, in Sadler's *State Papers*, ii. 341-2.

[n] It is an aggravation of that injustice, that some of the commissioners, perhaps, the whole, saw through the cloud of forgery, which was raised, by artifice, before their eyes, that truth, and innocence, were with the Scotish queen. See Sussex's letter to Cecil, 22nd October 1568; in Lodge, ii. 1-2.

[o] Knollys's letter to the Duke of Norfolk, 15th October 1568. Goodall, ii. 158-60.

principles of a liberal inquiry. The Scotish queen did not seem to see, that the real object of Elizabeth, and Cecil, obviously was, by advocating the proceedings, from York to London, to convert the inquiry into a criminal trial of Mary, for the murder of her husband, with Murray, for the prosecutor, and Cecil, for his assessor. Yet, did the unfortunate queen, who was conscious of her own innocence, and deluded, by Elizabeth's dissimulation, rather rejoice, than object to that insidious measure. If, according to some of the Scotish historians, the unskilfulness of Mary's conduct, during this enquiry, be a proof of her guilt, she was, plainly, guilty. The only mitigation of this censure, seems to be, that she had to struggle against the baseness of Murray, and the forgeries of his partisan, the dissimulation of Elizabeth, and the artifices of Cecil, which converted every event, and every measure, to Mary's wrong, and calumniation. She had no other resource; but to close an inquiry, which, from the knavery, that conducted it, must necessarily end in her disgrace: Her commissioners, seeing what had occurred, at York, ought to have declined to act, at Westminster, or indeed at any place, where Elizabeth's dissimulation, and Cecil's knavery bore sway.

Elizabeth, in pursuance of her plan, in carrying the inquiry, from York to Westminster, appointed new commissioners, with similar oaths, in order, that France, and Spain, might have new proofs, how *honourably* Elizabeth acted, and how *fairly* the Scotish queen was treated. Cecil was one of the new commissioners of inquiry, who took the oath of impartiality, of fairness, of honesty: And, Cecil prescribed the modes of proceeding, during this renewed inquiry; which consisted, in receiving papers, and documents, and proofs, not in the presence of the adverse party, but, in the absence of that party. Nothing has been more reprobated, by the constitution of this country, than *ex parte* proceedings, or proceedings in the *absence* of the person, having an interest: For, such *partial* proceedings are in themselves unjust, and

lead to every practice of wrong, and every deduction of injury. The very mode of inquiry inferred injustice, and iniquity. And, Cecil, by laying down that *partial* mode of proceeding, acted contrary to the oath of fairness, and impartiality, which he had just sworn: The *clandestine* proceedings, at York, were not more partial, and unjust, more insidious, and abominable, than the conduct of Cecil: If Norfolk was guilty of perjury, Cecil was much more guilty; as Norfolk acted under injunction; but Cecil was the director, with design, in his head, and malice, in his heart.

At length, on the 26th of October 1568, Murray, and his associates, openly, charged the Scotish queen, before Elizabeth's commissioners, with the murder of her husband. Cecil, and his coadjutors, by receiving this charge, from the very murderers themselves, against the innocent queen, in her absence, and in the absence of her commissioners, gave a practical example of the partiality, and wrong, of the injustice and abomination, of Cecil's guilty mode of proceeding against the object of his hate, and persecution: Had the queen, or her agents, been present, they must have objected to this charge, as unfit, and extrajudicial; because, the whole inquiry being *voluntary*, and the Scotish queen having always protested against being tried, criminally, by Elizabeth: So Elizabeth could not empower her deputies to do what she had no power to do herself. By acting thus, without power, and of course having no jurisdiction to hear, and determine, a charge of murder against the Scotish queen they perjured themselves still more, than the York commissioners, by acting, without authority, and without candour. Thus it was, and must be, where servility, and dislike, wrong, and injustice, and such guilty passions were carried, beyond all bounds; and were thus allowed

"_____ *to partialize*
The unstooping firmness of their upright souls."

Elizabeth, who had, meanwhile, one eye on France, and Spain, and the other on Mary, directed her Lord Keeper of the Great

Seal, to reprove Murray, and his associates, for making that horrible charge [p]; whereby, said the Lord Keeper to Murray,—"if you should prove it true, she should be infamous, to all princes in the world [q]." Murray might have told the keeper of Elizabeth's conscience, that he had been urged, by Cecil, the keeper of the same queen's secrets, to make this charge. Such were the effects of Elizabeth's duplicity, which admitted of no bounds. She wished to look *fair* in the eyes of France, and Spain, while she left to posterity a character of dissimulation most *foul*: Of her duplicity, and hard-heartedness, of her jealous temper, and murderous spirit, the state-papers of her reign are the proper vouchers. On the same spirit of disgracing the Scotish queen, Murray, and his faction, constantly acted, for obtaining the dethronement of their queen, and giving her sceptre to the conspirator, who had always his head, and heart, and hand upon it.

From the 15th of June 1568, when Murray received a command, from Elizabeth, to come into England, to explain, and defend, his own proceedings, he employed his agents, Maitland, and Buchanan, to collect forgeries, for defending himself, and charging her: By their diligence, he was enabled, to bring to York, not only a boxfull of forgeries, but a cart-load of vitiated documents, and records. He opened his magazine of fraud, at York, though under some concealments of his ultimate object, while he was yet uncertain of Elizabeth's real designs. When he had transferred his fraudulent magazine to Westminster, he soon learned, from Ce-

[p] Goodall, ii. 231-3.

[q] Goodall, ii. 228-9: The reprimand of Murray was given, on the 6th of December 1568. As early as the 20th of October preceding, Knollys, the warden of Mary, had written to Cecil: "All things considered, I see not how her majesty can, with honour, and safety, detain this queen, *unless she shall be utterly disgraced to the world;* and the contrary party be thoroughly maintained." *Ib.* 161. Mildmay, and Leicester, concurred in this advice. And Cecil acted upon it. Hence, the *clandestine proceedings*, at York, against Mary: And, hence this charge against her, at Westminster, which was plainly solicited by Cecil, to "make her infamous to all the princes in the world."

cil, that Elizabeth's design concurred with his own; and Murray was thus induced to prefer his charge against the Scotish queen, as the murdress of her husband[r]. Yet, when the detail of this charge is considered, it will appear, that never was there such a charge, so illogically drawn; so false, in its statements; so delusive, in its concealments of the truth.

Whatever those guilty men might say, or might swear, the State Papers of England, and the Statute Book of Scotland, demonstrate, that the queen's husband was murdered by a conspiracy of nobles, whereof Bothwell was the instrument, and Murray, the chief: Bothwell acted with Murray, and not with the queen: And Murray was the persuader of Bothwell to act, with Morton, and Maitland, as his agents: So, it does not follow, that she was of the foreknowledge of the crime, much less a persuader to the execution of the same crime: For, it is an incontrovertible fact, that she was reconciled to her husband, during several weeks, before the crime was perpetrated, by Bothwell, Morton, and Maitland: But, they, moreover, charge the queen with impeding the inquisition of the crime, and preventing the punishment of the chief criminal, Bothwell. Yet they forgot, that Bothwell was actually tried, by the queen's order, on the 12th of April 1567, before Argyle, the Justice-general, with a court, consisting of Murray's partisans; that Morton, supported him on one hand, and Maitland, on the other; so as to procure his acquittal; while Lennox was afraid, or ashamed, to appear as his prosecutor: But,

[r] Here is this famous charge: "It is certain; and we have always affirmed, that as James Earl of Bothwell, was the chief executor of the unworthy murder perpetrated on the person of the late king, Henry, the queen's husband: So, was she of the foreknowledge, and persuader of the said murder to be done; and the maintainer of the doers thereof, by impeding the inquisition, and punishment, due for the same, according to law; and consequently, by her marriage with the said James, Earl of Bothwell, after he was charged, as the chief doer of the murder." [Goodall, ii. 206-7.] It was signed by Murray, and by his associates, the Earl of Morton, Lord Lindsay, the Bishop of Orkney, the Commendator of Dumfermling:

Morton, and Maitland, as the agents of Murray, went some steps further, in favour of Bothwell: They obtained, from several peers, and prelates, a declaration of Bothwell's innocence, and of his fitness, as a husband, for the queen: Their charge, then, is not true, that the prosecution of Bothwell was impeded, by the queen. And there is another fact, which evinces, that Bothwell, before his marriage with the queen, was protected, by Murray's faction: When the queen surrendered herself at Carberry-hill to that faction, with Morton at its head, they purposely allowed Bothwell to depart, from the field, when he was within their power. And she is charged, with obstructing justice, by marrying Bothwell, though he had been denounced, as the king's murderer. Morton, and Maitland, as Murray's agents, by obtaining the acquittal of Bothwell, and the declaration of so many peers, and prelates, of his innocence, and fitness, for the queen's husband, encouraged that audacious noble, to march out, at the head of a thousand horse, to arrest the queen on the road to Edinburgh; to carry her, forcibly, to his castle of Dunbar, and therein to coerce her, till she agreed to marry him [s]. The facts being thus stated, by Murray's Parliament, in which Morton presided, as Chancellor, what guilt did she incur, or what could she know of the guilt of Bothwell, as the murderer of her husband, or what obstruction could she give to the pursuits of justice against a noble, who was protected, by Murray's faction? Such, then, is the answer, which may be submitted, to Murray's charge against Mary; a charge, which can now be considered, as a mere tissue of misrepresentation, and falsehood, of sophistry, and impertinence.

Elizabeth's Commissioners thus acting, as we have seen, without jurisdiction, now hurried on, without regard to justice, or con-

[s] The act of Murray's Parliament in December 1567, forfeited Bothwell, not only for his murder of the king, but for treasonously seizing the queen, on the high way, forcibly; carrying her to Dunbar-castle; and forcibly obliging her to consent to marry him. *Acta Parl.* iii. 5-8.

sideration of fitness: Before the Scotish queen had declared, whether she admitted, or denied, the charge of Murray, the Commissioners went on to hear his proofs[t]: But, what fairness, what equity, what truth, could be obtained, by receiving proofs, in the absence of the party, who was to be affected by them? In thus proceeding, what attention was there to the oaths, which the Commissioners had taken, that they would act fairly, and honestly, and godly? The answer must be, that they brought themselves within the law, as laid down by Serjeant Barham, that whoever takes an oath, to act *fairly*, yet acts *foully*, is guilty of perjury. The knavish conduct of Cecil brought him within the reprobation of that law: When Elizabeth made her Lord Keeper reprehend Murray, for bringing such a charge against his sovereign; yet, allowed Secretary Cecil, to carry it into effect, by illegal practices, and illegitimate proofs, she only evinced, by her contradictory conduct, that her dissimulation, and envy, had absorbed every principle of rectitude, in her heart, as a woman, and annihilated every maxim of justice, in her head; as a queen.

Murray, still suspecting, that his documents[u] did not convict

[t] On the 9th of December 1567, the Earl of Morton was admitted to swear to a declaration, setting forth the manner how he came to obtain the boxfull of letters, sonnets, and other papers. [Goodall, ii. 230.] This declaration seems not to be preserved. But, there appears no cause shown, why the person carrying this box, Dalgleish, was not examined, about it. Neither was it shown, why Sir James Balfour, who was said to have the custody of this box, was not examined, to account how he came into the possession of such a box. Murray, and his associates, now gave, in evidence, *French* copies of those supposititious letters, which those guilty men swore were the true original letters of the Scotish queen. The box was now emptied of its contents, which were sworn, by those men, who were known falsifiers, to be all perfectly genuine. [Goodall, ii. 235-6.] The receiving of such documents, illegitimate as they were, as evidence, in the absence of the Scotish queen, and her Commissioners, is another exemplification of the partiality, and injustice, of that unjust, partial, and abominable, inquiry.

[u] Whoever may wish, for critical, and minute proofs of Murray's documents being palpable forgeries, must consult Goodall's *Examination*, 1754; Tytler's *Inquiry*, 1760-90; Whitaker's *Vindication*, 1789-90.

the Scotish queen of her husband's murder, though they effected Elizabeth's design, of calumniating, and disgracing, the object of her malignity, had recourse to deliberate falsehood: He asserted, "That the estates of Scotland, finding her unworthy to reign, decreed her demission of the crown." The queen was imprisoned, and dethroned, in June 1567, by Murray's agent, Morton, with six other nobles, calling themselves *the nobles*. Murray's Parliament did not assemble till the subsequent December, who indemnified those nobles, for the basest acts of treachery, and violence, and legalized her demission of the crown, which, by her imprisonment, was invalid, and by the artifices, the tumult, and the terror of the means, employed, was a nullity, in the very act.

When Murray had done all that forgery, and falsehood, could effect, he failed in throwing the guilt of Darnley's murder, from himself and his agents, on the innocent queen: The consciousness of the guilt, continued in their own minds, and in the conviction of their countrymen, till that consciousnes, and this conviction, in the progress, and disclosures of time, ended in the declared guilt, and public punishment, of his chief associates. Elizabeth had meantime denuded herself of jurisdiction, by departing, from her original purpose; and without authority, assuming the power, to hear a charge of murder against the Scotish queen, by illegitimate means, she involved herself in the guilt of illegality, and the disgrace of defamation. The injured Mary now desired to be admitted, personally, to this inquiry, to defend her own innocence, and to explain her own motives: But, Elizabeth, publicly, avowed, "that from the beginning the only reason, why she was debarred from my presence, was, merely, through the rumour, and slander, that she had been participant, in the murder of her husband[x]. The same rumour, and slander, applied to the admittance of Murray, and Morton; and something more than rumour, that they had been guilty of murder, and assas-

[x] Goodall, ii. 221, at Hampton Court, on the 4th of December, 1567.

sination, of forgery, and falsification: Yet, did Elizabeth take them to her bosom; as they were the instruments of her guilty passion; while Elizabeth rejected the Scotish queen, who as a woman was full as innocent, and accomplished as she; as a princess was as well born, and bred, as she; and as a queen had more dignity, and true spirit, than she: Whereupon, the Commissioners of the Scotish queen declared, "that they would no ways proceed any further; and protested, that whatever were done, hereafter, should not prejudice their sovereign, in any sort[y]: But, they came too late with their protestation, after their sovereign had been slandered, and disgraced, by every mode of falsehood, and practice of perjury. The Scotish historians upon this proceeding have remarked, that Mary seemed to shrink from the charge, as if conscious of guilt; and to recriminate from revenge, more than from ability, to prove the guilt of her adversaries[z]: But, such historians found it more easy to scribble, than to inquire: Their green eyes did not allow them to perceive, that Elizabeth's design, plainly was, to obtain materials of defamation; and their idle ignorance did not enable them to ascertain, that the State Papers of England, and the Statute Book of Scotland, contained demonstrations of Murray, and his partisans, being the guilty characters, who murdered the Scotish king, and merely endeavoured, by the basest means, to cast the guilt, and the disgrace, from themselves upon her; while Elizabeth, and Cecil, knowing the truth, involved themselves in the criminality, and ignominy, of those atrocious men, whom they used, as the instruments, of their oppressive wrongs. Those historians, only, exhibited their own ignorance, which, invariably, infers some guilt.

Yet, Elizabeth continued her deceptive artifices: And, Mary was induced, to depart from her purpose of discontinuing the inquiry. Her Commissioners, by her direction, returned to Hamp-

[y] Goodall, ii. 223.

[z] Mary knew, before she was driven from Scotland, that Morton, and Maitland were both guilty of that crime. *Ib.* 71.

ton Court, on the 24th of December; and avowed their purpose, to charge Murray and his guilty associates, with the crime imputed, by them, to their mistress; to defend her innocence; and to repel the calumnies, which had been cast upon her: For these ends, they desired, to have the writings, which had been given in evidence against her, or copies thereof, to enable them to perform their serious purpose. Elizabeth now thought, or pretended to think, this request very reasonable, and rejoiced, with envious regret, that her good sister would, in that manner, defend her honour; yet, her apprehensions of detection did not allow her to grant so reasonable a prayer, as the communication of the papers, which had been unjustly given in evidence against their mistress. The Bishop of Ross, and Lord Herries, now exhibited strong representations against Murray, and his criminal associates[a]. But, an attempt was, in consequence, made, by Elizabeth, and her Commissioners, to browbeat the Bishop of Ross, and Lord Herries, though in vain[b]: They adhered to their instructed purpose. They again prayed for copies of their adversaries documents; a request, which Elizabeth continued to think very reasonable; yet, was afraid, or ashamed, to grant[c]. Elizabeth now, with her usual subterfuges, wished rather to end this inquiry, which had given her materials of slander, by *a compromise*, which would protect her criminal instruments. The Scotish queen, however, would not accept of any compromise; declaring that she would resign her diadem only with her last breath[d]. And Elizabeth, seeing that her dissimu-

[a] Goodall, ii. 283-93.

[b] *Ib.* 307-8-9: They were asked, if they, personally, would charge Murray, and his associates, with the murder of the Scotish king? They answered, No: But, as the Scotish queen's Commissioners, they would persevere in their charge.

[c] *Ib.* 285-93-98.

[d] *Ib.* 300-3. On the 25th of December 1568, the Scotish queen's Commissioners declared, that she would answer Murray's charge, if Elizabeth would direct only copies of the proofs against their mistress. *Ib.* 281. The queen's Commissioners continued, without success, to press this request, till the 31st of January 1568-9. *Ib.* 333. Meanwhile, Elizabeth's ministers intercepted the proofs, which she was collecting

lation was used in vain, put an end to this disgraceful proceeding. On the 12th of January 1568-9, Murray, with his associates, came to Elizabeth's presence, and were allowed to depart into Scotland: The queen giving him under the name of loan, 5000*l.* as a reward, for his many materials of scandal against the sister, whose bounty had given him the Earldom of Murray, with a thousand benefits[e]. Thus ended this ignominious inquiry! At the end of January 1568-9, the Scotish queen was ordered to be carried, from Bolton, to Tutburnie, as a prisoner, who was, in Elizabeth's estimation, entitled to little favour: At the same time, Elizabeth never doubted her right, however doubtful in itself, of imprisoning the Scotish queen, after she had wronged her, by every artifice of her nature.

Murray now hastened, from Kingston, to inform his partisans, in Scotland, of his final success. "Yesternight," said he, "we had the queen's majesty's answer, by her Council; allowing our doings, with a promise to maintain the king's authority, and our regiment [regency][f]." Such were the sentiments, no doubt, of Cecil, though perhaps not of Elizabeth: But, such was the policy, which the Scotish queen might, from her reception in England, have expected from both, if she had not been influenced much more, by credulity, than by experience.

In this manner, then, was brought to a conclusion this famous inquiry, which, whatever might be its speciousness, was plainly intended, by every mode of artifice, to disgrace the Scotish queen, in the eager eyes of the civilised world[g]. How much perjury was committed, at York, to calumniate the Scotish queen, needs not be repeated. Similar scenes were acted, at Westminster, and

against Murray: See Huntley, and Argyle's Protestation against Murray, and his shuffling answer. *Ib.* 317-21.

[e] Rym. *Fœd.* xv. 677.

[f] Goodall, ii. 306. Murray's letter to Craigmillar, 11th Jan. 1568-9.

[g] See Cecil's correspondence in the *Cabala*, which is the voucher of his criminal duplicity.

Hampton-court, where, without jurisdiction, without the shadow of justice, or impartiality, the same queen was charged, and convicted, without a hearing, of her husband's murder[h]. And, last, though not least, Elizabeth, and Cecil, while they avowed to France, and Spain, the fairest intentions, acted the foulest practices, by soliciting Murray, and Morton, and their coadjutors, to swear to the genuineness of letters, and other papers, which they all knew to be feigned, and forged; while of this abominable solicitation, we may say, of Elizabeth, in Shakespeare's language:

> ——— ——— You set the crown
> Upon the head of this forgetful man;
> And, for his sake, bear the detested blot,
> Of murdrous subornation———."

Murray, and his guilty associates, now hastened, homeward, with the alacrity of persons, who had been tried for their lives, and were acquitted. He arrived, at Berwick, on the 30th of January 1568-9: And, as he owed everything to Cecil's protection, he immediately wrote him, that on his way, he had inquired into the present disposition of *the king's mother*; and found her, in her conceit, nothing dejected, nor destitute of friends; adding that, "there never was greater occasion, to be careful of her security: And, if the Lords Boyd, and Herries, and the Bishop of Ross, could be stayed, for a season, it would do great good[i]." Such were Murray's malignity, and fears, even amidst his triumphant arrival, on the Tweed, and his ambitious hopes of a quiet reign.

He arrived, at Edinburgh, on the 2d of February 1568-9; having remained, in England, since the 21st of September 1568. He found Scotland far from tranquil, whatever he could write, or Elizabeth proclaim. Rumour had preceded him, that he had sacrificed the independence of his country to his own ambition:

[h] Goodall, ii., is the genuine record of the guilty proceedings of Elizabeth's Commissioners, and of Murray, and his associates', perjuries.

[i] *Ib.* ii. 332.

And, it was reported that he had solicited the continuance of the queen's imprisonment, and had agreed, to surrender the king to Elizabeth's tuition, which was only another name, for the subjection of an ancient kingdom to an *auld enemy*. Hearing of such disquieting reports, Elizabeth issued a proclamation: assuring her good neighbours of Scotland, with her happiest dissimulation, "that in the cause, betwixt the *said queen and her son*, [Murray,] there hath *lacked no good meaning*, nor yet doth, to have the same well ended, with quietness to the whole nation of Scotland, and without any prejudice, to the crown of Scotland, or the dignity thereof[k]." If this were true, why imprison the Scotish queen, without right, and without pretence, other than the personal hate of a guilty heart? But, thus it is to be in the habit of artifice, and in the practice of knavery! The wretched people of this degraded nation were now preparing, for civil war. Murray, however, a few days after his arrival, repaired to Stirling, where he laid his guilty proceedings, in England, before a convention of *his nobles*, who ratified all with their usual servility.

The Duke of Chattelherault, who had been long expatriated, for his attachment to Murray, returned to Scotland, on the 22d of February 1569; bringing with him, a commission, from the queen, as Lord Deputy, which he caused to be published, with a command to the Scotish people, That they would obey no other authority, than his legitimate power. But, Murray was not a statesman, that would be terrified, by such appearances of opposition. Having the sword of Viceroy in his hand, which he knew how to wield, and the habits of villany, that he was in the practice of using; he commanded the king's people, to meet him, in arms, on the 10th of March, at Glasgow. These preparations, for warfare, were, however, put an end to, by a sort of treaty, which stipulated, for a meeting of certain nobles, at Edinburgh, on the 10th of April 1569[l]. This meeting concluded, as might have

[k] This insidious proclamation may be seen in Goodall, ii. 328.

[l] *Hist. of K. James*, vi. 58.

been foreseen, from the character of Murray, by sending the Duke, and Lord Harris, as prisoners, to Edinburgh-castle[m]. Argyle, and Huntley, who had, also, taken arms, for the queen, were soon induced to submit, with some loss of influence, which could not be easily maintained, while there existed, on the one side, interestedness, and distraction; on the other, vigour, and subtilty. Before the end of April 1569, the Regent saw no one, in Scotland, to dispute his power, howsoever obtained, by force, or maintained, by fraudulence.

Meantime, the intrigue, which Maitland, and Murray, had begun with the Duke of Norfolk, at York, for marrying the Scotish queen, and which he renewed, at Hampton-court, was early suspected by Cecil. Murray was required, by the English minister, to reveal what he knew of this obscure transaction: Fearing Elizabeth's hate, more than shame, Murray basely betrayed the Duke to his offended sovereign; delivered his letters into her hands; and endeavoured, by artifice, as well as threats, to induce Maitland, to act with equal baseness, and the same breach of trust, though without success. The simultaneous intrigue, which was opened, in Scotland, by Lord Boyd, in June 1569, for obtaining a dissolution of Mary's marriage with Bothwell, and other objects, could not be obtained, from the Regent's councils, while Elizabeth's duplicity was known, and Cecil's arts were felt: Norfolk was imprisoned, for his imprudent passion. The Earls of Northumberland, and Westmoreland, seem to have been little influenced, by his fate: And running out into rebellion, they were easily driven into Scotland, where, falling into the Regent's hands, they were not safe. Had the rebels of Scotland, during this reign, the Murrays, the Mortons, and their guilty associates, been, equally, delivered to criminal justice, the Scotish queen had not been at that period a captive, and the Scotish people had not felt, at the same time, the direful effects of civil discord.

---

[m] *Hist. of K. James*, 65; Spottiswoode, 218-9.

Elizabeth, exulting at her success, began to consider the Scotish queen, as the hidden cause of all her disquiet: And, without suspecting her own jealousy, or Cecil's management, to be any of the real causes of her uneasiness, she adopted the disgraceful purpose of surrendering the captive queen to the Regent Murray, on such conditions, as had suited the malignant designs of both. The vigilance of the Bishop of Ross, having discovered this intrigue, opposed it; which the ambassadors of France, and Spain, represented, as an action, infamous in itself, and dangerous to her own safety[n]: These representations interposed some deliberation, which saved Elizabeth, as well as Murray, from an additional stigma, in delivering a relation, and a queen, into the polluted hands of unprincipled ruffians.

The Regent Murray now found leisure, in May 1569, to punish some priests, by pillory, for saying mass, who had been condemned to death; and proceeding from Stirling to St. Andrews, he burnt a sorceress, called Nicneven; and hanged Sir William Stewart, the lion-king, for divers points of witchcraft, and necromancie; but whose real crime consisted, in thinking the queen more innocent of the death of Darnley, than Murray himself; and, at the same time, the Regent hanged French Paris, for whatever crime, though not till the more guilty Murray, by means of Buchanan, and Wood, had forged, for him, two declarations; the one criminating Bothwell, and the other, denouncing the queen[o]. Of

[n] Robertson's *Hist.* 1530; Carte, iii. 497.

[o] *Hist. of K. James* VI. 65-6. The original declaration of Paris against the queen, which remains, in the Paper Office, demonstrates, that declaration to have been drawn, by Buchanan, and Wood, in Murray's castle, and to have been transcribed, by Murray's secretary. In October 1569, Murray transmitted to Cecil, that declaration, "if further *proof* should be required." [Goodall, ii. 88.] This shows what sort of documents Murray regarded, as *proof*: But Cecil seeing, from the declaration itself, that the world would consider Buchanan, and Wood, as the forgers of it, under Murray's eye, desired Murray to send him a *certified copy* of it. This certified copy was sent, in consequence of that desire. And we now see Cecil, and Murray, concurring in this fraudulent act of manifest forgery, for the delusion of a confiding world.

a similar sort of villany was the accusation, about that time, against Secretary Maitland, for the king's murder, by Crawfurd, a servant of Lennox, though the charge was made, in concert with Murray, and Morton, who both knew his guilt; as they were themselves guilty: He was committed to Edinburgh-castle; and a day was avowedly appointed, for his formal trial[p]: But, when the day of trial approached, saith Spottiswoode, so many were preparing to keep the day, that the Regent, disliking such convocations, and disdaining to have *justice outbragged*, prorogued the convention for four months[q]. Murray, Morton, and Maitland, as we have clearly seen, were all equally guilty of the king's murder; and to have tried, in a public court, the most able, the most artful, and the most eloquent man, in Scotland, would have disclosed such scenes of villany, and of treason, as would have confounded Murray, and Morton, and astonished a deluded people: The object seems only to have been, as Maitland no longer cooperated, with his guilty coadjutors, to imprison, and disgrace him[r]. He was, afterwards, attainted, by Parliament, for the murder of Darnley, as we have perceived, and died, of poison, from whatever hand.

Soon after those hypocritical, and guilty scenes, Murray dispatched the Commendator of Dumfermling to the English court, with *instructions*, which show, with strong conviction, how coolly Murray could write falsehood, how deliberately he could regard forgeries, as proofs, how confidently he could trust, for his support, to the duplicity of Elizabeth, and the villany of Cecil[s]. But, the time was now at hand, when such shifts could no longer support a statesman, whose whole life was a tissue of subtilties, and sub-

---

[p] *Hist. of K. James* VI., 69-70. [q] *Hist.* 232-3.

[r] And even that object seems not to have been obtained: For, in the draught of a letter dated in July 1570, in Cecil's hand, from Elizabeth to Lennox, the Regent of Scotland, in the Paper Office, it is said: "And, Maitland, thereby, appeareth to have gotten such credit among the adverse party, that he holdeth the bridle, in his hand, to stay, or hasten them forward."

[s] See those instructions in Goodall, ii. 84-8.

terfuges, of falsehoods, and forgeries, of rapaciousness, and corruption, of ambitious aims, and rebellious efforts: The Regent Murray was doomed to sustain a violent death, by an injured hand: As the Regent rode through the streets of Linlithgow, he was slain, by the vengeful shot of the injured Hamilton, on the 23d of January 1569-70[t].

The deluded partisans of this unprincipled statesman, declared by a monumental inscription, that he was the very best man of this moral age, in the annals of Scotland. But,

"———'Tis phrase absurd, to call a villain good;
Who, wickedly is wise, or madly brave,
Is but the more a fool, the more a knave."

By his wife Agnes, Murray left two daughters, Margaret, and Mary: The first married Sir James Steuart of Down, who enjoyed with her the earldom of Murray, under a defective title: Mary married Francis Earl of Errol. Murray's widow married Sir Colin Campbell, who became Earl of Argyle, in 1574, on the death of his elder brother, without issue; and carried with her many of the queen's jewels, which the Regent Morton compelled her to restore[u]. The widow, and children of Murray, were left by him, in distressed circumstances, owing to the vast debts, which he had contracted both at home, and abroad, in pursuit of his objects: He had acquired, as we have seen, large estates; but, his guilty expenditure upon his numerous partisans, for supporting an overpowering faction, had exhausted his revenues. He was relieved, as we know, from the records[x], by the king and queen, not more than *ten days, before the death* of Darnley, while they were both

[t] *Cabala*, 160; Murdin, 769; Spottiswoode, 234; *Hist. of K. James* VI. 75. At the same time, were with the Regent, says Cecil, Sir Henry Gates, and the Marshal of Berwick, Drury, for demanding, in the queen's name, the Earl of Northumberland, and others.

[u] *Acta Parl.* 86. But see the *App.* to this Memoir, No. IX.

[x] On the 31st of January 1566-7. *Privy Seal Reg.* xxxvi. fol. 1.

condemned, however, the one to the bowstring, the other, to deprivation, and death. The widow, and children, applied to the Parliament of 1574, for public relief: And, it was referred to the Chancellor, to consider their case; as it was not fit, said his partisans, that the widow, and children, of the late Regent should be wrecked[y]. Such, then, was the wretched end of the mighty ambition of Murray, which, like the ocean,

"——— Did swell, and rage, and foam,
To be exalted with the threat'ning clouds."

In that disputatious age, there was not any statesman, whose character was drawn, with such opposite colours, as that of Murray, says Robertson: The best delineation of Murray may be found, in an abstract of his life. From his boyish days, Murray was surrounded, by partisans; as we know, from the records: And he spent almost the whole of his revenues, great as they were, in attaching to his person, and fortunes, the ablest men, whether as scholars, statesmen, or soldiers: He thus became *a patron of learning*, and a man of *liberality*, according to Robertson, while Murray was, merely, drawing to him, by gratuities, a nnmber of adherents, who formed the ladder, on which, he early raised himself, to the head of a numerous, and determined party. As soon as 1552, when he was not yet one-and-twenty, he had become the chief of all those, *who were given to change*, during an age of innovation. As he thus appeared to intelligent eyes, at the head of many men, he became himself the object of purchase, that he might influence others: So that his revenues increased, as his partisans became more numerous: And, he thus trafficked with the regent-queen: he promoted her views, in Scotland, while she obtained for him his objects, in France, a bishoprick, and an abbey, till he became too large, for her handling: This is what Robertson calls a *disinterested* passion, for the liberty of his coun-

[y] *Acta Parl.* iii. 56: But, see the *App.* to this Memoir, No. IX.

try, in opposing her pernicious system. During the four years, ending with 1560, he was the chief of those, who by artifices, and arms, overturned the Scotish government, on the pretence of reforming the religious establishment, with a constant eye on the sceptre, as the emblem of power. The queen heard of the aims of her bastard brother, by all those means, at her crown: Yet, she did not carry her measures of prevention, beyond an epistle of reproof. Elizabeth received the same notice of the bastard's aims; but, she heard this information, with less emotion, than encouragement. What was thought very likely, by the acutest men of that age, was deemed, by Robertson, in this, to be very improbable, while the bastard enjoyed *the thing*, in fact, though not the name. It was to continue this possession, that he advised the English government, to intercept the queen's return in to her own kingdom.

Another trait of character, which influenced this personage, through life, began early to discover itself, and continued to influence him, throughout his career. He adopted it as a practical maxim, to regard the end more than the means. When he was scarcely nineteen, he entered into a contract of espousals, with the Countess of Buchan, whom he tricked out of her estates, and her marriage [z]. He began early, with Knox's concurrence, to make political advantages of forged letters, rather than true; as we know from the State Papers [a]. He acted, in concurrence, with Secretary Cecil, in imposing upon three kingdoms the falsified treaty of Edinburgh, instead of the genuine document: Upon this principle, also, he adopted the monstrous imposture, of attributing to the queen, his sister, and sovereign, forged letters, forged sonnets, forged contracts of marriage, which Morton, and Maitland, had begun, for criminating, for defaming, and dethroning her; in order to justify their own misdeeds: He went one step further; he not only adopted those forgeries, but he solemnly swore, that they

[z] See the *App.* No. v. [a] Sadler.

were genuine documents; an aggravation this, which was peculiar to Murray, and his guilty associates: So openly did he practise fraudulence, that we have taken him, in the very act, of forging *Paris's Declarations:* He, indeed, made use of Buchanan, and Wood, as his agents, on that occasion; but, he sent those fabrications to Secretary Cecil, as *proof* against his sovereign; and Cecil concurred with Murray, in imposing this gross fraud upon the confiding world.

When the queen returned to her kingdom, and had resumed her government, she appointed this personage her *minion*, with so much power, as to leave her little but the name of queen. The whole officers of state were, merely, his adherents, and not her servants. The manner, in which he obtained the grant, and possession of the earldom of Murray, notwithstanding Huntley's rights, was at once fraudulent, and tyrannous; and by carrying the queen with him into the north, to aid her minion, in that transaction, he involved his sovereign in the disgrace of his own fraudulence, and illegalities. Yet, did he oppose the queen's marriage, with Darnley, even to the extent of rebellion, as he wished to sin with Elizabeth, rather than to sacrifice to Mary. For his restoration to his country, he entered into the most dangerous plot, with Darnley, and his father, Lennox, for the assassination of Rizzio, in the queen's presence, to the eminent risque of the queen's person; thus committing by his agents, Morton, and Maitland, a mingled act of murder, and treason, of the most atrocious nature.

Yet, historians inquire, whether Murray was capable of entering into a conspiracy against Darnley's life, and the queen's sceptre? While Murray's whole life consisted of plots, of privy conspiracy, and open rebellion, what evidence does it require, to trace him into a concert, which had two objects, for his gratification; Darnley's death, and the queen's dethronement? Yet, must it be remembered, that such was the state of Scotland, in that period, and such the overpowering strength of Murray's faction, as it comprehended the officers of state, that such a plot could not have ex-

isted, without Murray's knowledge: Neither could Secretary Maitland have engaged, in such a conspiracy, without Murray's assent, who was plainly Viceroy of Scotland, with more consideration, than the queen herself enjoyed. Murray, and his faction, were at constant enmity with Bothwell, who was deemed, on the formation of their multifarious plot, the properest person, to be pushed forward, in so nefarious a task, as Darnley's murder, both as the *catspaw*, and the *scapegoat*. In the meanwhile, Bothwell was regarded, by shallow observers, as a courtier of consequence, while he was, merely, a conspirator, with Murray, who lent his instrument that unreal importance, the while, which disappeared, the moment, when he was cast off, though he was the queen's husband. The facts, as they arose, in the progress of the conspiracy, are the best proofs of the several events, as they, successively, occurred.

Darnley was murdered, on the 10th of February 1566-7. And the question will always recur, By whom was he assassinated? The State Papers, and the Statute Book, are the best evidences of that fact: Of them we learn, that Darnley was murdered, by a concert of nobles; by Bothwell, and Morton, and Maitland, as Murray's agents: Murray was the chief complotter, from its commencement; and the principal gainer, from its conclusion.

But, the circumspection of Murray's artifices did not allow him to remain, in Scotland, to see the *dénouement* of this tragedy. He departed, from Edinburgh, on the 9th of April 1567, three days before the trial of Bothwell, for Paris, through London; and he communicated to Cecil the whole detail of the conspiracy, which was yet to be executed; namely, the acquittal of Bothwell, when tried, for the murder of Darnley; the marrying of him to the queen; in order to connect her with the murder, however innocent; the expulsion of Bothwell, and the dethronement of the queen; the proclamation of the king, and the appointment of Murray, as regent: And, Cecil thus learning all this, from Murray, took steps, for sending Elizabeth's Lieutenant, Bedford, to Ber-

wick; *to countenance the lords;* as we know, from Bedford's letter, in the Paper Office. It is apparent, then, that Murray had concerted the whole of that detail with Morton, and Maitland, before his departure from Edinburgh. There are letters, in the Paper Office, from Maitland to Cecil, asking for money, to support this fresh insurrection. It is a known fact, that Morton, and the insurgents, in Scotland, corresponded with Murray, in France, and that Cecil acted, as the agent, between them [b]. Every thing was transacted, in Scotland, according to the detail, which had been agreed upon, with Morton, and Maitland, in the previous concert, with Murray, and communicated, by him, to Cecil. It is apparent, then, that the Scotish queen was dethroned, by the co-operation of Elizabeth's government.

With the aid of Cecil's artifices, and money, Murray was enabled to return to Edinburgh, in August 1567. He found the queen, in prison; her infant son, on her throne; and himself, the declared Regent. Murray now gathered up what of the conspiracy, and insurrection, yet remained, to be executed. What had hitherto been done was, by artifices, and violence: It still remained, to justify the doers, and to legalize so many crimes, and so much illegality. Murray, who had now received the government, from his own agents, which had dethroned the legitimate sovereign, called a Parliamentary meeting, on the 15th of December 1567.

When the insurgents, who acted, under Murray's influence, and Morton's guide, imprisoned the queen, they had nothing to charge her with. Yes; she had married Bothwell, who had, by their management, been declared innocent of the king's murder; who had been recommended, by themselves, as the fittest husband: And, Bothwell, encouraged, by those measures, seized the queen, carried her to his Castle, and, by coercion, made her consent to marry him. But, such facts do not warrant the conclusion, which Murray, and his insurgents, drew from them, that she must have known, previously, of Bothwell's intention, to murder her husband;

[b] See the *Cabala*, which is the record of this guilty intercourse.

Those facts, as they are vouched, by the act of parliament, forfeiting Bothwell, establish her innocence: Though this marriage answered the odious purpose of detraction; yet, the weakness of it was felt, when the facts were, minutely, examined, even before Murray's arrival from France. To strengthen that weakness, forgery was called in: And then appeared a boxfull of the queen's letters to Bothwell, sonnets, and promises of marriage, under the guilty assertion of the notorious Morton. Murray entered into this measure of crimination, by forgery, with all the ease of long habit. He began, early, to practise fraudulence; and he closed his career of fraud, by causing Paris's declaration to be forged, within his own castle, by his own agents, and by sending it to Cecil, as proof. Yet, the box of letters was not opened, in Scotland, either before the Privy Council, or in the Parliament; in which some eyes might have seen secrets; and, according to Robertson, France, and Spain, might have been too much enlightened, by such disclosures.

But, baser scenes were still to be acted, by those great masters of the profoundest fraud. With Murray at their head, Morton, on their right, and Maitland, on their left, they were to attribute to the queen the king's murder, which they had themselves committed: The State Papers, and the Statute Book, demonstrate, that Murray's faction murdered Darnley: But, how do Murray, and his faction, disprove that *demonstration;* and evince, that the queen knew any thing of that crime, before it was committed? She married, by artifice, and coercion, Bothwell, one of the murderers, as an agent of Murray: But, the act of Bothwell's forfeiture refutes *Murray's inference.* She wrote letters, from Glasgow, to Bothwell, who was then busy, in preparing, for Darnley's murder: But, the queen was then, at Edinburgh; and she was then reconciled to her husband. In the justification, which Murray thus sought, for his friends, and in the charge, that he wished to establish against the queen, he, equally, failed in both; because he had no proof, to repel the *improbability;* arising from the queen's reconcilement with her husband; and still less was he able, by

any evidence, to refute the *impossibility* of the queen's writing a long letter, from Glasgow, while the public records establish her *alibi*, at Edinburgh, where she then was.

During the following inquiry, in England, Murray was doomed to sustain a double measure of guilt; as he attempted, to cast his own guilt upon his sovereign, and sister, before a foreign queen, though he knew her to be innocent. At York, before Elizabeth's commissioners, Murray took an oath, to act fairly, and, immediately, acted foully; so that he here incurred the guilt of perjury. When this disgraceful inquiry was advocated, by Elizabeth, to Westminster, Murray presented a formal accusation against his sister, and sovereign, for the murder of her husband, though he knew the charge to be unfounded. This charge, which he had basely made, three times before, was nothing more, as we have seen, than a counterfeited tissue of misrepresentation, falsehood, and impertinence. Such, then, was the accusation of Murray against his sister, and sovereign: a conduct this, which Robertson declared was unbrotherly, and ungrateful; a crimination, that, he might have said, was as atrocious, as it was unfounded, since he, plainly, was himself obnoxious to the same charge.

In addition to such a collection of gross misrepresentations, deliberate falsehoods, and inconsequential reasonings, Murray gave in to Elizabeth's commissioners various forgeries of letters, sonnets, promises of marriage, and a journal, with some records, which had been vitiated, by abstraction, or addition. Murray swore to the genuineness of the letters, which he knew to be false; thus adding to the crime of forgery, the offence of perjury: Worthy proofs these of such a charge, from such a man. The calumniation of the Scotish queen, which was by those means very effectually performed, for Elizabeth's policy, she purchased, by a donation to Murray of five thousand pounds, sterling money, under the pretence of loan. She dismissed him, at length, with his associates, to Scotland, assuring him of the safe custody of the Scotish queen, and of the support of Murray's government. This dependence, under which he brought Scotland, was disgraceful

to the nation, says Robertson; and, he might have added, injurious in a high degree. Murray had, scarcely, returned to Scotland, when he was called upon, by Elizabeth, to betray Norfolk, whom he had deceived, with a baseness, says Robertson, unworthy of a man of honour, if such a motive existed, in that age, amongst a debased nobility. Personal bravery, military skill, sagacity, and vigour in civil affairs, are virtues, which Murray may be allowed to have possessed, among a people, whom he had let down, by the subserviency of his own ambition: Yet, in the conduct of the queen's government, Murray was unfeeling, and resentful, violent, and tyrannical; as we know, from his conduct on the borders, and from the ruin of Huntley's family. It is to be regretted, that he was taken off, prematurely, by a stroke of private vengeance; as it had been an affair of great importance, had he remained to have closed his guilty career, by the sword of public justice; as he must be allowed, to have been one, of the most consummate criminals, during an age of miscreancy; when it is recollected, that Murray, and his faction, after murdering the king, endeavoured, as much as in them lay, to cast the shocking guilt of that terrible deed, from themselves, upon the innocent queen, their beneficent sovereign.

Bothwell, the instrument of Murray, in the commission of that odious deed, as well as for the treasonous violence, offered, by him, to the queen's person, was forfeited, by Murray's Parliament, after being allowed to expatriate himself, without molestation. Secretary Maitland, another of Murray's agents, whose whole life was a continued act of treachery, and falsehood, of fraudulence, and forgery, was, again, and again, attainted by Parliament, for the murder of Darnley, and died by poison. The Earl of Morton, the most powerful of Murray's agents, and the most guilty of his partisans, died on the block of shame, the conviction of his guilt being recognised, and, also, confirmed, by Parliament. Such crimes had never been committed, in Scotland, under Mary, if a sovereign had not then ruled a neighbouring kingdom, who was as base, as criminal, and as guilty, as her Scotish agents, undoubtedly, were.

SUBSIDIARY DOCUMENTS.

No. I.—*Of the Projects of the English Government, for the Subduction of Scotland, under Henry* VIII., *Edward* VI., *and Elizabeth.*

THE duplicity, and overbearing of Henry VIII., in his intercourse with his nephew, James V., need not be insisted on; as they are, sufficiently, apparent, in the State Papers of both those kingdoms.

At the memorable epochs of the demise of James V., and the birth of Mary, in December 1542, the odious designs of Henry VIII. became more avowed, though not less profligate, and artful. His great object, plainly, appeared to be the subjection of Scotland, by whatever means[c]: To effect this, his first purpose, appears to have been, to obtain possession of the infant queen, Cardinal Beaton, and Arran, the Governor: His second aim was to acquire the principal fortalices of Scotland. Nor, did he want the means, if his management had been equal to his artifice. He entered into the most unprincipled engagements with those expatriated traitors, the Earl of Angus, and his brother, Sir George Douglas, who received regular pay, from Henry, for maintaining 200 men, who were constantly about them, with design, to seize the important person of Cardinal Beaton; but, they were constantly foiled, by the management of that able man. The prisoners, whom he had obtained, at the disgraceful rout of Solway-moss, by the corruption of his agents, more than by the valour of his troops, he engaged, in his service, as if he had been already sovereign

[c] In 1542, he published "A declaration, concerning the just causes, and considerations of this present warre with the Scottis: Wherein also appeareth the true, and right title, *that the king's majesty hath to the sovereigntie of Scotland.*" In the inquiry, at York, 1568, Elizabeth tried to induce the Commissioners, and other Scotish statesmen, to acknowledge the sovereignty of England over Scotland; but, without success.

of Scotland: He even appointed the Earl of Glencairn, one of the corruptest of mankind, to be Chancellor, and James Drummond, the Secretary [d].

The next object of Henry's corruptions was the queen-mother. He gave instructions, to practise with the queen-dowager, for acquiring possession of the infant queen, her daughter: And, to gain, by any means, possession of *the Cardinal*; "because," said Henry, "he will work to his possible power, to overthrow all the purposes of our friends." The king, "whose foul subornation was predominant," intimated his displeasure, that Arran should have been appointed regent; and yet, artfully, endeavoured, to gain him to his corrupt purposes. But, the person of the infant sovereign was the principal object of all his aims, and artifices. The Bishop of Durham, and other agents, wrote the Privy Council, about an offer, which was said to be made, by the Laird of Buccleugh, for delivering the minor-queen into the English power, "though it seemed to them an unlikely matter; and as they thought, a measure, not standing with the king's honour, to practise it, in such sort; yet had they given order to Sir Thomas Wharton, to do the best he could, in the same." There is another letter remaining, from the Duke of Suffolk to Sir Thomas Wharton; desiring him to confer with the Laird of Buccleugh upon that subject; "although the duke thought him, to be a very mean man, to have the managing of so great a matter [e]."

The next object of this capricious sovereign was, to acquire possession of *the strengths* of Scotland, by any means. He prepared a force, to overawe the Cardinal, and his party; and he offered any assistance to Arran, the Governor; to whom, he directed, that it might be intimated, that if they should take away the young queen, and should marry her against his consent, that he would, by force of his title, and *superiority*, make the Governor king of that part of Scotland, lying northward of the Forth. The Governor, however, declined the aid of an English army; assigning, as a reason, what shows how many enemies Henry's overbearing had produced, "that if Arran, and his party, should bring in the English, all their own followers, would go over to the other side:" And, he declined, also, the offer of being made king of Scotland, beyond the Forth; saying "that all

[d] The most authentic account of those abominable measures, during December 1542, and January, and February 1542-3, are in the Hamilton *State Papers*, vol. iv.

[e] *Id.* in March, April, and May 1543, six months, after Mary's birth.

his *lands*, and *living*, lay on this side the Frith, which he wished not to exchange, for any thing beyond it." In August 1543, Henry agreed, to send 8000*l.* to the Governor, if he would deliver him the strengths on the south of the Frith; or put the young queen into his hands: But, this corrupt offer of an unprincipled prince was not made to the Governor, by the English agent; as the Governor did not press for money; as he could not perform the condition on his part; the young queen being in such custody, as he could not acquire her person. It appears, from a bond of manrent entered into between the Governor, and the Master of Eglinton, in 1545, "that the *young queen*, when she came of age, should marry her near kinsman, the Earl of Arran, lest by matching with England, *the crown might pass to the auld enemy*." [*Ib.* ii.] Amidst all those intrigues of ambitious folly, Henry's vanity, as an author, induced him to ask, how the Scots liked his books on religion; and if the Governor desired to have any more of them. To such questions, Sadler, with all his subservience to so impatient a master, made answer, "Surely, to signify the plain truth, I see not that the same is much liked, by any party, in Scotland; nor yet, that the Governor desireth to have any more of them[f]."

In the meantime, the imprudence of Henry, in seizing the Scotish ships in the English harbours, contrary to the late treaty, enraged the people of Scotland: The citizens of Edinburgh were, particularly, provoked; and threatened to fire the lodging of the English Envoy; and they were incensed against the Governor, for consenting to such a treaty; saying "that he had coloured a peace with England, only, to undo them."

Yet, Henry seems, by his books, and his example, to have converted the Regent, Arran, to his own principles, and violent practice: The English agent wrote, from Scotland, on the 4th of September 1543, "that the work of reformation had begun, at Dundee, by destroying the houses of the Black, and Gray Friars; and that afterwards the Abbey of Lindores, had been sacked, by a company of good Christians, who turned the monks out of doors: And that afterwards, a similar attempt had been made on the Black Friars, at Edinburgh, by the Captains of foot soldiers, and their retinue, who were in the pay of the Governor, while he was absent; but, that the inhabitants, both men, and women, assembled in defence of the Friars, and drove the captains, and their soldiers, out of the town: And

[f] Hamilton *Archives*, vol. v. and vi. in June to August 1543.

surely, my lords," adds the English Agent, "I never saw people so wild, and in such a fury, as they be here even now." We now see, that it was time the Governor, and Cardinal, should understand one another: They met, at Falkirk, on the 4th of September; and went together to Stirling, where they were met by Lennox, Huntley, Argyle, and Bothwell, [Earl Patrick;] and had concluded, *to crown the queen upon Sunday then next*; and the Governor had declared to them, what the English king required, touching the suppression of divers Abbeys; and he, moreover, acknowledged, that the Friars of Dundee were sacked, by his consent; for which, he had, on Saturday, done open penance, in the Friar-house, at Stirling; and having then taken an oath to defend the monks, heard mass, and received the Sacrament; and he was thereupon absolved, by the Cardinal, and Bishops. In the midst of those disgraceful scenes, the Earl of Angus, Sir George Douglas, the Earl of Glencairn, and other personages of their principles, received the wages of corruption, from Henry VIII.; without daring to attempt the performance of the treasonous task, which, an unfeeling master had assigned them [g]. The Duke of Suffolk, and Tunstal, Bishop of Durham, as Lords Justices of the North, wrote to the Privy Council, as their firm opinion, that if Henry desired no more, than a due performance of the Scotish treaty, of peace, *and marriage*, the Scots might be brought to agree to it, whereas, if he went further, few, or none, would give their consent [g].

The Cardinal had now gained the ascendency over the feeble spirit of the Regent: And, in November 1543, they went together to Perth, and to Dundee, where they arrested the Earl of Rothes, Lord Gray, and *Henry Balnavis*, whom they sent to prison, for reforming the people, no doubt, under Henry's influence [h].

Henry VIII. now somewhat varied his profligate plan, by making applications to particular persons, who might perform special acts of successful treason: In this spirit, he applied, by his agents, to *the master of Morton*, Sir George Douglas's son, who, as early as April 1544, held a traitorous

[g] Hamilton *Archives*, vii.: In it, is the letter of the 13th of September 1543, from Lord Wm. Parr, to the Duke of Suffolk, which gives the above account of the Regent Arran's *Reformations*, and *Recantations*. If the baby queen, with her nurses, had been allowed to govern, they would have acted, with more spirit, and consistency. The citizens of Edinburgh, we perceive above, were not yet, sufficiently, reformed, in September 1543, to see illegal violence, within their walls, without rising to resist it.

[h] *Ib.* viii.

correspondence, with his country's enemies: The *master of Morton*, and Alexander Jarden, the Captain of Tamtallon-castle, had agreed to surrender that stronghold to the Earl of Hertford, when the English army should arrive[i]. Henry, on the 26th of June 1544, entered into a contract with the Earl of Lennox, "to deliver to him the castle, and territory, of Dunbarton, with the Isle of Bute[j]." In pursuance of the same plan of corruption, Henry, on the 13th July 1544, granted a yearly pension of 250*l.* to William, Earl of Glencairn, for what he had done, and intended to do, for the English interests: And Henry, at the same time, granted a pension of 100*l.* to Glencairn's son, Alexander, the Master of Kilmours[k]. We may herein see the origin of that activity of patriotism, and reform, which distinguished that corrupt family.

This disgraceful policy of Henry was further extended to other persons, in Scotland, for performing monstrous acts of treasonous mischief to their wretched country. On the 17th of April 1544, the Earl of Hertford, with the council of the north, wrote to Henry, from Newcastle: "Please it your highness to understand, that this day, arrived, here, with me, the Earl of Hertford, a Scotish man, called, *Wyshart*, [George Wishart of the Scotish martyrology.] and brought me a letter, from the laird of Brumston, which I send your highness herewith; and according to his request, have taken order, for the repair of the said Wyshart to your majesty, by post, both for the delivery of such letters, as he hath to your majesty, from the said Brumston, and also of the credence, which, as I can perceive, consisteth of two points: One is, that the laird of Grange, late Treasurer of Scotland, *the master of Rothes* [the notorious Norman Leslie] the Earl of Rothes's eldest son, and John Charteris, would attempt, either to apprehend *the Cardinal*, at some time, when he shall pass through the Fife-

---

[i] Hamilton *Archives*, ix. the Earl of Hertford's letter to Henry VIII.: The *master of Morton*, whom we have seen above, acting *the traitor*, became *Earl of Morton*, and *Regent of Scotland*, who after a thousand acts of treachery, of falsification, of murder, and treason, died on the disgraceful block, for his concernment, in the murder of Lord Darnley. There are two subsequent letters, in the same volume, from the Earl of Hertford to Henry VIII.; informing him, that James Douglas, *the master of Morton*, and his brother, David, had renewed their engagement, to deliver Tamtallon to the English General, when he arrived there, and all their friends should be at Henry's command; and as an earnest of this, they had seized, and secured the captains of Dunbar-castle.

[j] Rym. *Fœd.* xv. 29: Lennox was soon after legitimated, in England.

[k] *Ib.* 47.

land, as he does sundry times to St. Andrews; and in case they can so apprehend him, will deliver him to his majesty, which attempt, he sayeth, they would enterprise, if they knew your majesty's pleasure therein, and what supportation, and maintenance, your majesty would minister to them, after the execution of the same, in case they should be pursued, afterwards, by any of their enemies. The other is, that in case your majesty should grant unto them a convenient entertainment, to keep 1000, or 1500 men, in wages, for a month, or two, they joining with the power of the Earl of Marshal, the said heir of Rothes, the laird of Calder, and others of the Lord Gray's friends, will take upon them, at such time, as your majesty's army shall be in Scotland, to destroy the abbey, and town of Arbroath, being the cardinal's, and all the other bishops' and abbots' houses, and countries, on that side the water, thereabouts, and to apprehend all those, which, they say, be the principal impugnators of the amity, between Scotland, and England: For the which, they should have a good opportunity, as they say, when the power of the said bishops, and abbots, shall resort towards Edinburgh, to resist your majesty's army: and for the execution of these things, the said Wyshart sayeth, that the said Earl Marshal and others, aforenamed, will capitulate with your majesty, in writing, under their hands, and seals, afore they shall desire any supply, or aid of money, at your majesty's hands. This is the effect of his credence, with other sundry advertisements of the great contention, and division, that is, at this present, within the realm of Scotland, which we doubt not, he will declare unto your majesty, at good length[1]."

There is a minute of the Privy Council, in answer to the above letter; stating "that Wyshart had been with his majesty; and for *his credence*, declared even the same matters, in substance, whereof your lordship hath written." And, he received for answer, touching the fact against *the Cardinal*, that if the lords, and gentlemen, named, shall enterprise the same, earnestly, and use their utmost endeavours to bring the same to pass, and should be obliged to fly into England, for refuge, "his highness will be contented, to accept, and relieve them, as shall appertain." As to their second proposal, for engaging to burn, and destroy, the bishops', abbots', and other kirkmen's houses, and lands, his majesty answered, that his army would be

[1] Hamilton *Archives*, vol. ix. The letter above, though written, in the name of the Earl of Hertford, was subscribed, also, by Cuthbert, bishop of Durham, Robert, bishop of Llandaff, and by Rafe Sadler.

returned out of Scotland, before he could send down, to make the contract, and have it returned; and then transmit the required aid; but, if they will engage to burn, and destroy, as they have offered, while his army is in Scotland, and will give his lieutenant, Hertford, hostages, for their performance, he authorizes Hertford to give them 1000*l.* sterling, for their purpose[m].

This intrigue of Wyshart, and his employers, which was as treasonous, as it was abominable, did not, probably, altogether escape the Cardinal's penetration. Hearing that Wyshart, who had returned to Scotland, in 1544, lurked, at the house of Ormiston, applied to the governor, to have him arrested. The high-sheriff of the county, Patrick, Earl of Bothwell, was employed, for that end: And, on the 19th of January 1545-6, there is an order of the Privy Council, to deliver Wyshart to the governor, and to keep him surely, "under the hiest pane." He was, accordingly, sent to the castle of Edinburgh; and thence transferred to the Cardinal's castle of St. Andrews. Here, was Wyshart condemned, *for heresy*, and burnt, on the 1st of March 1545-6[n].

There still remains, in the same collection, a letter of instruction, from the Privy Council of England, dated the 10th of April 1544, to the Earl of Hertford; informing him, in the king's name, that the grand attempt on Scotland was delayed, for a season; and directing him, in the meantime, to make an inroad into that kingdom; and "there to put all to fire and sword, to burn Edinburgh-town, and raze the castle; putting man, woman, and child, to fire and sword, where any resistance shall be made against you: And this done, pass over to the Fifeland, and extend like extremities,

---

[m] Hamilton *Archives*, ix. See the above letter, dated the 26th of April 1544, in Haynes, p. 32-3.

[n] Keith, 41. At the moment of his execution, Wyshart is said to have foretold the Cardinal's death, in the said castle, within a few days. Dempster says, in his *Historia Ecclesiastica*, 598, that Wyshart, *being in the plot to take the Cardinal's life*, might easily foretel his death. "Doctor Mackenzie," says Bishop Keith, "has given us the scrape of a letter, that seems, strongly, to support the truth of that assertion: But, Keith, after all his researches, in the Lawyers' library, could not find the said letter, and is, therefore, induced, to publish *the scrape*." [*Hist.* 41-2.] I have now published above, the letter, at large, with the answer to it of the English Privy Council. And, the evidence of both, certainly, proves, that Dempster was founded, in his fact: Wyshart was, plainly, in a plot against the Cardinal's life; he was obviously guilty of treason, of the blackest kind; and if Wyshart had had twenty lives, he ought to have lost them; but, not for *heresy*. The Cardinal was assassinated, on the 29th of May 1546, within his own castle, at St. Andrews, by Norman Lesley, Grange, and other conspirators. It is a great aggravation of the barbarous crime of

and destructions, in all towns, and villages, whereunto you may reach, conveniently; not forgetting, amongst all the rest, so to spoil, and turn upside down, the Cardinal's town of St. Andrews, as the upper stone may be the nether, and not one stick stand by another; sparing no creature alive, within the same, specially such, as either in friendship, or blood, be allied to the Cardinal[o]." But, of this horrible order enough! How Hertford executed his commission of *fire and sword*, on the Scotish people, history must tell[p].

EDWARD VI.

The successor of Henry adopted the same policy, with respect to Scotland, the same corrupt means, the same odious warfare; "as most necessary, for the honour, and surety, of the king that now is[q]." [*Id.*] From that epoch, till the peace of Buloigne, in March 1549-50, which comprehended Scotland, there was continued the former system of establishing the English policy, by corruption[r].

Norman Lesley, that he had entered into a *bond of manrent* to the Cardinal, on the 24th of April 1545, for a valuable consideration. [Innes's *MS. Collections.*] Henry VIII. lived long enough to approve so much of the conspirators' act, as to settle the following pensions on them, from Ladyday 1546:

To Norman Lesley, yearly	£250
To the laird of Grange	200
To David Moneypenny	100
To Henry Balnavys	125
To John Lesley	125
To James Lesley, the parson of Aberdour	100
To William Kirkaldy, the younger of Grange	100

Such, then, were the assassins of Beaton, the Cardinal; and, the rewards granted, by Henry VIII., for *the deed!* [*Privy Council Reg.* Ed. VI. Sunday, 6th of February 1546-7.] And Henry resolved, with his last breath, not only "to give certain pensions to divers noblemen, and others, which defend the castle of St. Andrews, for his majesty's service;" and for the advancement of the marriage; but, also, upon certain articles, devised, for the benefit of both the realms, to entertain, at his Grace's charges, 120 men, for the more sure defence of the said castle, against the king's enemies, in Scotland. [*Id.*]

[o] Vol. ix.

[p] Keith, 46-7. Buchanan, with his usual falsehood, affirms, that Henry sent letters into Scotland, full of *just complaints*, before he sent his fleet and army. Of such letters, there is no trace: But, see the Regent's letter to Henry, proposing terms of accommodation, in Keith's *App.* No. VIII.

[q] Balnavys, who negotiated that treasonous transaction, was sent back to St. Andrews, with information of those resolutions of the two kings; and Mr. Lesley was appointed to remain, at London, to receive advertisements, from Scotland.

[r] The following are some of the pensions, exclusive of the casual payments of money to individuals:

In every corrupt transaction with particular Scotsmen of that age, there was a clause, that they should do their best endeavours for the delivery of the Scotish queen to the English king[s]. Of the wars, and waste, of that period, history must tell. In 1551, William Thomas, a well-known Clerk of the Privy Council, who had secret communications with Edward VI., wrote, privately, to the youthful king: "For Scotland; since we cannot *now* conquer it, I have no hope of good but one[t]; that the Governor, [the Earl of Arran] by our comforts, may be enticed to take the crown upon him: If he be thereunto persuaded, we shall not only establish a present friend to ourselves, but, a perpetual enemy to France[u]." Of the morality of that advice, and the subsequent corruptions, little need be said; since the insidious object is quite apparent; and was certainly adopted, by Cecil, in the subsequent period: It was probably not kept quite secret; as means were found, to remove Arran, the Governor, and to place the queen-mother in his room[x].

To Lord Bothwel (Patrick,) in part payment of his pension	£376 0
To And. Gray, in part of his pension	12 10
To John Steuart, the same	25 0
To Sir John Borthwick, the same	75 0
To Oliver Sinclair, as his majesty's reward	50 0
To the Master of Ruthven, as the same	39 0
The Master had another reward of	25 0
To H. Balnavys, remaining in France	60 0

There are many payments, to Ormiston, and Brumston. [The *Privy Council Reg. of Ed.* VI.]

[s] In Ayloff's *Calendar*, 322, there is preserved a notice of an instrument, by Norman Lesley, the "Master of Rothes, and others: promising to do their endeavours, for the delivery of the Scotish queen to the English government." See this treaty dated the 2d of March 1547, in Rym. *Fœd.* xv. 131-144. There was a similar treaty, for the same corrupt purpose, made with Lord Gray, on the 11th of the same month. [*Ib.* 143.] And there was afterwards settled on Lord Gray, a pension of 100*l.* a year. [*Ib.* 200.] And, in September 1549, there was a pension settled on Patrick Earl of Bothwell of 3000 crowns. [*Ib.* 190.]

[t] This was said, with an allusion to the amalgamation of Scotland with France; and the late peace of May 1550. [*Ib.* 255-6.]

[u] See Strype's *Mem.* ii. p. 72: Thomas only recommended to Edward VI. the corrupt policy, which had failed, under the coarse practices of Henry VIII. Thomas was hanged, in the subsequent reign, for his practices, during the present.

[x] The 12th of April 1554 is the true date of that transfer of the Scotish government, which is, specially, stated, in the *Privy Seal Reg.* xxvii.

ELIZABETH.

The marriage of the queen of Scots with the Dauphin of France, in April 1558; and the accession of queen Elizabeth to the throne of England, in November 1558; were influential events, in the Scotish history: By the first event, Scotland was identified with France; by the second, England was induced, by the wisdom, or the wickedness, of Sir William Cecil, to enter into the most criminal intrigues, in both those kingdoms, wherein Francis, and Mary, had such important interests. In the subsequent year, the corrupt advice of William Thomas was carried into full effect, in Scotland, by the corrupter management of Secretary Cecil[y]. Arran, the heir-presumptive of the crown, under a parliamentary settlement, and contrary to a more recent change of the government, by Parliament, in April 1554, when the queen-mother was appointed regent, in his stead, was induced, by Cecil, to come forward, as the rival sovereign, in contempt of the legal authority; which had recognised his presumptive rights[z]. Following up his Jacobinical principles, Secretary Cecil, on the 1st of August 1559, in the name of Elizabeth, gave the following instruction to Sir Ralph Sadler, who had been the profligate agent of Henry VIII., and was now employed, by Elizabeth, in similar pursuits, in Scotland: As to the real intentions of the bastard Prior, Sadler was instructed: "You shall do well, to explore the very truth, whether the Lord James, [the Prior,] do mean any enterprise towards the crown of Scotland, for himself; and if he do, and the Duke [Chastelherauld] be found very cold *in his own cause*, it shall not be amiss, to let the Lord James follow his own desire therein, without dissuading, or persuading him any thing therein[a]." What is this, but saying

---

[y] "If the queen, and Dauphin (said Cecil, in August 1559,) will not grant certain points; then may the Estates commit the government there to the next heir of the crown: If the queen [Mary] will not comply; then is it apparent, God Almighty is pleased to transfer, from her, the rule of the kingdom, for the weal of it." All this was written, by a foreign minister of a foreign power, who had no right to interpose, contrary to treaties, and the established law; as settled, recently, by the Estates of Scotland: Jacobinism could not go beyond the guilty reasoning of Cecil.

[z] See Haymes, 253: Articles, between the Duke of Norfolk, Elizabeth's Lieutenant, in the North, and the Lord James Steuart of Scotland, 27th Feb. 1559-60.

[a] Sir Ralph's instructions, which are in the Paper Office, and indorsed, in Cecil's hand, "for the queen's majesty." [Bundle P. 20.] Cecil was induced to submit such

that, if the presumptive heir of the crown will not unlawfully seize the expectant sceptre, in the legitimate hand of the actual possessor, a bastard pretender must be incited to assume it? It is unnecessary to trace Cecil any further, in his usual career of guilty policy, as to the neighbour nations: The whole life of the Scotish queen supplies illustrations, both of his profligacy, and practice, immoral as they were.

Elizabeth hastened to make peace on the 2d April 1559, at Casteau-Cambresis, with France, and with Scotland. On the 30th of May following, Elizabeth made peace, at Norham, more particularly with Scotland. The demise of Henry II. of France, on the 10th of July 1559, with the succession of Francis, and Mary, seems to have converted Elizabeth's desire of peace into a passion for war [b]. In December 1559, Admiral Winter, with an English fleet, was sent into the Forth, "to act as from himself." The Duke of Norfolk was sent into the north, as the queen's Lieutenant-general, "to act as from himself." In January 1559-60, Secretary Maitland "was at Westminster, to be conferred withall, for Scotish matters:" On the 18th of February, this Secretary returned into Scotland. On the 27th of February "the accord was made, by the Duke of Norfolk, at Berwick, with the Lord James, Lord Ruthven, Laird of Pittarrow, and W. Maxwell [c]." We thus perceive Elizabeth descend, from her elevation, to make "an accord," with the Lord James, the bastard pretender of Scotland, according to Cecil's *Diary*. All this while, however, Francis and Mary were king and queen of Scotland; and the queen-mother was regent of Scotland, under the authority of the two sovereigns, and *the Estates* of the realm. Upon what moral principle did Elizabeth, and Cecil, act? Upon none: Their principle was profligacy, in the extreme. If, however, we look into the treaty, we shall see, that the name of the Duke of Chastelherauld, the second person, in Scotland, was used, though it appeareth not, whether he knew anything of such an accord. But, "the queen's majesty, having sufficiently understood, as well by information sent from the nobility of

instructions to the eyes of Elizabeth, partly, by his general policy of inciting troubles, in every nation, but more by a dispatch, from Throgmorton, Elizabeth's ambassador at Paris, dated the 26th of July 1559; informing Secretary Cecil, that the Prior had such intentions. [See that dispatch, in Forbes's State Papers.]

[b] On the 11th of July 1559 was held a consultation of Elizabeth's ministers, for the French king's style and arms of England, to be joined with France. [Cecil's *Diary*, Murdin, 749.]

[c] *Ib.* 750.

Scotland, as by the manifest proceedings of the French, that they intended, *to conquer* the realm of Scotland, suppress the liberties thereof, and unite the same unto the crown of France, perpetually, contrary to the laws of the said realm, and to the pactes, oaths, and promises of France,—the queen's majesty thought fit to make this '*accord*.[d].'" What falsehood, and impertinence, have we, in that recital! Elizabeth, and Cecil, knew, that the queen of Scots, in 1548, had been betrothed to the Dauphin of France, with the free assent of the whole Estates of Scotland. In 1558, Mary and Francis were formally married, with the assent of the Estates, who sent deputies to witness the ceremony, the Lord James being one of the Envoys. By the assent of the Parliament, on that occasion, Scotland, and France, were identified, for the benefit of the people of both. In such a legitimate connexion of Scotland, and France, how could the sovereigns of both make a conquest of one of them? The union of the two kingdoms was legitimated, by the legislatures of both. The liberties of the people of both were enlarged, by the effects of that union. It was absurd, to talk of a legitimate union being illegitimate, and contrary to law. Neither was there any evidence of the breach of any pacte, oath, or promise. This treaty, then, is the record of the guilty conduct of the several parties to this fraudful accord. The proceedings of Elizabeth, and Cecil, on the one side, and of Lord James, and his coadjutors, on the other, were contrary to every principle of law, human, or divine, to every treaty, existing between the several nations; and contrary to the established system of the Scotish monarchy: Yes; the marriage of the Scotish queen to the Dauphin, under the authority of the Estates, with the several effects, resulting from a legitimate measure, were inconvenient to England: But, it was an inconvenience, without an injury; because the Estates of Scotland had a right to marry their queen to whatever potentate: And being an inconvenience, without an injury, it furnished Elizabeth, with no cause of warfare, and gave to the querulous mind of Cecil no cause of enmity.

Yet, on the 25th of March 1559-60, Elizabeth issued a proclamation; declaring the queen's purpose, to preserve the peace, notwithstanding the king and queen of Scots' claims to be the king and queen of England. And two days after the English army entered Scotland; with fire and sword[e]!

Yes, says Cecil, when the Dauphin and Mary Stewart, were married,

---

[d] Rym. *Fœd.* xv. 569.

[e] Cecil's *Diary*, in Murdin.

in April 1558, the French king directed them to assume the title, and arms, of England[e]. But, this imprudent act was not any insult to Elizabeth, who was not then queen. If that act of whatever importance, had been resented, by the English queen, who was then at war with France, and Scotland[f], the French king might have asked, Elizabeth, By what title do you claim, to be king of France? Our law, which excluded the pretensions of Edward III., who claimed from a *female heir*, equally precludes you. Cecil, however, when he came into power, with Elizabeth, was studious to gratify his mistress's jealousy, by collecting the various instances, in which Francis and Mary had used that disputatious title[g]. When Mary became a widow, and she was pressed, by Throgmorton, the English ambassador, to ratify the treaty of Edinburgh, which disavowed that assumption, in larger terms, than the imprudence of the one queen, or the malignity of the other, required, the Scotish queen said what could not be answered then, and cannot be answered now: When that title was assumed, I was a married woman, under the power of my husband, and we both acted under the authority of the French king: But, since I became a widow, and such influences ceased

---

[f] From the 7th of June 1557, to the 2d of April 1559, the epoch of the peace of Cateau-Cambresis.

[g] For example: On the 16th of July 1559, Ushers going before the queen of Scots (being now the French queen) to the Chapel, cry, "*Place pour la reine d'Angleterre.*" The arms of the Scotish queen were set up on certain arches, at solemnizing the marriage of the French king's daughter with the king of Spain, with the arms of England, and these verses, underwritten, in Scotish.

"The arms of Mary queen Dolphin of France,
The noblest lady in earth for till avance,
Of Scotland queen, and England too,
Of Ireland too, as God hath provided it so."

In November 1559, the queen of Scots made her entry into Chattleherault, where her style was published, as queen of England, where four verses were made, whereof the two last were:—

"*Nunc Gallos totoque remotos orbe Britannos*
Unum dos Mariæ cogit in imperium."

Francis, and Mary, as Dauphins, granted something to Lord Fleming; as king and queen of England.

There were justs, at Paris, the Dauphin's two Heralds were apparelled with the arms of *England*, and Scotland. [Cecil's *Diary*, in Murdin.] Whether those examples were not with malignant temper, and exaggerated with unnecessary diligence, needs be very elaborately ascertained.

I have not used such a title, and have no intention to use it, in future. That assumption, however innoxious, in Mary, acting as she did, was never forgiven, and never forgotten:

" Forgiveness to the injured doth belong:
But, they ne'er pardon, who commit the wrong."

We have now traced the various projects of the English government, under Henry, Edward, and Elizabeth, during Mary's infancy, for the subduction of Scotland, by that alien, and corrupt power. How far the Lord James, the bastard pretender of Scotland, with his faction, contributed to that end, for depriving the Scotish queen of her rights, needs not be here. very elaborately ascertained: The treaty of Berwick is the record of their guilt.

No. II.—*Whether the Treaty of Edinburgh, 6th July* 1560, *in favour of the Scotish Nobles, whereby the Sovereignty of Scotland was transferred, from Queen Mary, to the Insurgent Faction, be true, or false.*

It was an age of falsehood, and imposture, when the people were credulous, as the effect of ignorance, and their leaders were unprincipled: We might perceive, from the document No. 1. in this Appendix, that Secretary Cecil was very capable of any imposition, and the Lord James [Murray,] and his associates, were in the habit of every villany. It was, in the same age, that the grand imposture was practised on the Scotish people, by Murray's faction; when the black letter statute-book of April 1566 was castrated, and a spurious volume of black acts was palmed upon the country, in the black letter statute-book of November 1566. Men practising such impostures, were capable of any baseness. Hume, the historian, detected the same men, in forging an additional article to a treaty, with the regent queen[h]. The men, who were capable of adding one article to a treaty, were very capable of forging a whole treaty, when aided, by so great an adept, as Cecil, in contriving the *means*, for whatever *measure*.

In addition to what Whitaker has, decisively, reasoned, on this subject[i], I shall add a few distinct heads; as exhibiting what has occurred to me,

---

[h] *Hist.* v. 31; and Note O, p. 495.

[i] Vindication, iii. 40-43, 463, 515.

in the progress of my inquiries, on so interesting a subject, as detecting forgery, and ascertaining truth. (1.) No one has ever seen the original of the copy of an *accord* in the Cotton Library[k]; purporting to be the treaty of Edinburgh: Neither the English Rymer, nor the French Leonard, ever saw such a treaty: No such treaty any where exists, in the records of Scotland; nor does any one among the well-informed men, at Edinburgh, know of such, *in the original*[l]: What does not appear, must be supposed not to exist. (2.) I have found, in the Paper Office, a copy of the *Scotish accord* of the 6th of July 1560, which is, plainly, of that time; as it was docqueted, or indorsed, by Cecil's clerk, "Requests of Scotland to the French king;" and to the foregoing words, are added, in Cecil's own hand, "Accorded by the French ambassadors, in presence of the ambassadors of England:" But, this docquet, or indorsement, was afterwards struck out by Cecil's own pen: For, he soon perceived, that by such an indorsement, in his hand, the English ambassadors, Cecil, and Wotton, were committed, to avouch, or testify, that such a treaty had been signed, in their presence: And, Cecil, who was never at a loss, wrote to his friends, at Edinburgh, to send him a certified copy of the same treaty, which now remains, in the Cotton Library, as above mentioned: Now; this measure cast the responsibility, from himself, upon Lord James, Lord Ruthven, and Secretary Maitland, who were all persons very capable of such an imposture; and of avowing it, for truth, before a credulous world: This management, with regard to the two copies, the one in the Paper Office, and the more formal one, in the Cotton Library, is satisfactory proof of the gross fraud, that had been committed, by Lord James, and Secretary Maitland, in concert with Secre-

---

[k] *Calig.* b. 9. fol. 126, the title of which in English is, "Accord betwixt the French King and Queen of Scots, and the Nobilitie of Scotland;" and which was certified to be a true copy, by the Lord James Steuart, and Lord Ruthven, and is counter-signed, at the bottom, by Secretary Maitland, who appears, from the transcription, to have been the writer of this copy: Maitland was perfectly capable of making any supposititious treaty.

[l] There is an abstract of such a treaty, dated the 8th of July 1560, in the Adv. Lib. Edin. A. 3. 22: But, from the mistake of the date, and other circumstances, it is obvious, that the writer of this abstract did not make it, from an original, though it be a MS. of the reign of James VI. Cecil, in his *Diary*, though he notices the accord, for the demolition of the fortifications of Leith, dated the 5th of July 1560, and the treaty of Edinburgh, dated on the subsequent day, between the English, and French ambassadors, does not notice any *accord* between the French ambassadors, and the Scotish nobles. Murdin, 751.

tary Cecil; yet, could not be avowed[m]: The pretended power of the 2d of June 1560, with the mistake in the year of Mary's reign; empowering the French ambassadors, to make such a treaty, as transferred the queen's sovereignty to the Scotish insurgents, is not with the copy of *the accord*, in the Paper Office. (3.) We may learn from Holinshed[n], what is probable in itself, "that when Montluc, and Randan, the French ambassadors, were introduced to Elizabeth, they declared they were sent to the queen, and not to the subjects of Scotland: For, it was not meet, that the king should send to *his own subjects*, (as they were by this marriage of their queen) to require peace, or to condition with them, for agreement:" Such a speech, from such men, evinces, sufficiently, that they were conscious of their own inability, to transfer the king, and queen's sovereignty, to their own subjects: But, it was impossible, that ambassadors, who are praised, by Robertson, for their talents, and address, could have granted any terms of sovereignty to such subjects. (4.) When Throgmorton, Elizabeth's ambassador, at Paris, solicited the ratification of the treaty of Edinburgh, the king, the queen, the Cardinal of Loraine, and their other ministers, always speak of one treaty, and not of two treaties, an English, and a Scotish one[o]: We never hear of the *Scotish nobles*, soliciting the ratification of the treaty, granting them such extraordinary terms; nor, would the queen even ratify the acts of Parliament, which was held, without her knowledge, under the pretence of some treaty. (5.) The precipitation, with which the convention of August 1560 sat down, before it was possible to obtain the queen's ratification, (and no treaty can be acted upon, without ratification) proves, that the supposititious treaty, under which, the leaders pretended to act, had been obtained, by some fraudulence. (6.) It does not appear, throughout the negotiation, for the ratification of the treaty of Edinburgh, that the French court

[m] Cecil played off the same artifices, in respect to the declaration of Paris, 10th of August 1569, which we now know to have been the forgery of Buchanan, and Wood: Cecil had the original; but, he sent for a certified copy; in order to conceal the imposture.

[n] *Chronicle*, i. 374-5: The terms of the accord to the Scotish nobles, as set forth, by Holinshed, may be admitted to have been made. *Id.* These terms ought, regularly, to have been annexed to the treaty with England, as a part thereof; and it was owing to design, that they were not; and, not to the ignorance of Cecil.

[o] Lord Hardwicke's *State Papers*, i. 123-37. If there had been such an *accord* with the Scotish insurgents, there ought to have been an original of it, in the archives of France, from her ambassadors: But, the silence of Leonard evinces, that no such *accord* exists among the records of France.

was aware of what the supposititious treaty contained; but, the Cardinal Loraine saw very plainly, from other documents, and from the conduct of the Lord James, and his busy coadjutors, "that the king, and queen's subjects of Scotland, sought to deprive the king, and queen, of their right of pre-eminence over the realm of Scotland, and to reduce it to the form of a republic[p]." (7.) As the concessions of oblivion, which were, really, made by the ambassadors of Francis, and Mary, to the Scotish insurgents, formed a part of the English treaty; and as Cecil, studiously avoided, to have the specification, under the French ambassador's signatures, annexed to that treaty, this omission alone, with the circumstances of his conduct, above mentioned, when committed, by such a diplomatist, as Cecil, shows, that some fraud had been committed; which could not be avowed[q]. (8.) Such, then, are the reasons, which satisfy me, that the *Scotish treaty*, which was certified, by Lord James, Lord Ruthven, and Secretary Maitland, was a gross imposition; such men being capable of any villany; and Maitland being in the habit of forgery. (9.) When Dr. Wotton died, in 1566-7, Cecil was restless till he obtained possession of the papers of his coadjutor; as we learn from Strype[r]; in order to see what account Dr. Wotton had given of the supposititious accord, with the Scotish nobles. (10.) The actors, in that guilty scene, did not send any person to Paris, to solicit the queen's ratification of the supposed *accord;* because such an envoy would have met Randan, and Montluc, the French negotiators, who would have disavowed the pretended *accord:* But, without ratification, the treaty was of no avail; though the forgers made haste to carry it into effect.

---

[p] Lord Hardwicke's *State Papers*, i. 129. The Lord James, and his coadjutors, had, in fact, established an independency on the sovereigns of Scotland, in 1559-60, and 61; they arrogated the right of depriving the regent-queen of her authority, which she had derived from *the Estates:* and when the sovereign queen sent over a commission to certain persons, to govern in her name, the insurgent lords, who were named, refused to act, under her authority.

[q] Robertson, indeed, says, *Hist.* i. 239, that the treaty with Scotland was inserted in the treaty with Elizabeth; but, he is mistaken: And, that *it was not inserted*, in the English treaty, is a strong objection to the rectitude of the whole transaction. There was a clause, in the nature of a guarantee of the *accorde* between the French, and Scots, [Haynes, *355,*] which states the sum of the *accorde* of Scotland: This ought, in the practice of diplomacy, to have been annexed to the English treaty.

[r] *Annals*, iii. 208.

No. III.—*How far Queen Elizabeth endeavoured to intercept Mary, Queen of Scots' Voyage to Scotland.*

(1.) The refusal of passports, which is a fact acknowledged, was a virtual declaration of hostilities against the Scotish queen. (2.) Both the Lord James, and Secretary Maitland, urged Cecil to intercept their sovereign; as most beneficial to *the religion*, and most advantageous to *the amity* with England, two cant expressions, which meant much more than was mentioned; and Secretary Cecil corresponded with both, on this interesting subject. On the 9th of August 1561, Randolph wrote from Edinburgh to Cecil: "I have received your honour's letters on the 1st of this month, and also a letter to the Lord James, from his kinsman, out of France[s]. I have shown your honour's letters to the Lord James, Lord Morton, Lord Lethington (Maitland): *They wish, as your honour doth, that she* [*Mary*] *might be stayed, yet, for a space: And, if it were not, for the obedience sake, some of them care not, though they never saw her face.*" The Lord of Lethington leaveth nothing, at this time, unwritten, that he thinketh may be able, to satisfy your desire, in knowledge of the present state of things here. Whatsoever cometh of that, he findeth it ever best, *that she come not*[t]. (3.) Contrary to all those concerts, Cecil wrote to Throgmorton, at Paris, on the 26th of August: "*The nineteenth* of this present, in the morning early, the queen of Scots arrived at Leith, with her two gallies, her whole train not exceeding sixty persons of meaner sort. The lords of

---

[s] James Steuart, the Commendator of Inchcolm, who was then in queen Mary's employ, and confidence, in France. He was afterwards much employed by her; and, like others, betrayed her secrets to the Lord James, for whose relief, James Steuart engaged in Rizzio's assassination. He obtained a pardon of this treason, by Lord James [Murray's] influence, on the 5th of June 1566. [*Privy Seal Reg.* xxxv. 30.] He married, on the 10th of January 1562-3, Margaret, the sister of Archibald, Earl of Argyle, Murray's associate in rebellion. The eldest son of this marriage was Sir James Steuart of Down, who married Murray's eldest daughter, and, in her right, became the Earl of Murray.

[t] This instructive letter is in Robertson's *App.* v. from the Cotton Library. Lethington's letter, which is referred to, in Randolph's dispatch, was dated, from Edinburgh, the 10th of August 1561, and is in Keith's *App.* 92-3, wherein the date is misprinted 1560, for 1561. This letter of Lethington was followed, by a more persuasive one to Cecil, dated the 15th of August 1561, which still remains unpublished, in the Paper Office.

Scotland were not nigh, being warned only against the last of this month; only there was at Holyrood-house, the Lord Robert, to whose house she went, and there remained, and gave orders, with speed, to assemble her lords." This was the whole I could learn; being so written in haste, at the same instant. The queen's majesty's ships, that were upon the seas, to cleanse them from pirates, saw her, and saluted her gallies; and staying her ships, examined them of pirates, and dismissed them gently: One Scotish ship, they detain; as vehemently suspected of piracy[u]." But, this artful representation is contradicted, by Camden's narrative, who was as well-informed, as Cecil, and an honester man[x]. Cecil's representation is disproved, by the testimony of as great a statesman as he: By the lord keeper Bacon, who in delivering a speech in the Privy Council, during the year 1562, against the projected interview, between the rival queens, has these apposite expressions: "Besides, think you, that the Scotish queen's suit made, in all friendly manner, to come through England, at the time she left France, and the denial thereof, except the treaty were ratified, is by them forgotten; or else, your sending of your ships to sea, at the time of her passage[y]?" (4.) When a charge against Lady Lennox, for corresponding with her relation, the queen of Scots, was carrying on by Cecil; it was given in evidence, by two several domestics of Lady Lennox, that when she heard of the Scotish queen's escape, from the English ships, she fell down on her knees, and thanked God, for his providential interposition[z]: This implies, that it was distinctly understood, at London, that the English ships were sent out, to bring in the Scotish queen. (5.) One of the Scotish ships, attending the queen, was carried in, as Cecil acknowledges, wherein was the Earl of Eglinton: But, that this particular ship carried the horses and mules, of the Scotish queen, which were undoubtedly captured,

---

[u] See this dispatch of Cecil to Throgmorton, in Hardwicke's *State Papers*, i. 176, which is plainly written to enable the English ambassador to deceive the French court; as its statements were contrary to the fact.

[x] Camden, *Transl.* 53, who speaks of the Queen of Scots, having gotten a fit opportunity, set sail, from Calais, and arrived, in Scotland; "passing by the English ships, *in foggy weather.*" Lesley, and Brantone, who accompanied the queen, also speak of the *great fog*, which enabled her to arrive safe. Holinshed concurs with Camden.

[y] Goodall, i. 175, from a MS. entitled, *Placita Secreti Concilii.* I have, in my library, a MS. collection of the Lord Keeper Bacon's speeches, which concurs with what Goodall states as above.

[z] This examination is in the Paper Office.

appears untrue: It certainly required a long negotiation, and considerable expense, to recover them[a]. (6.) When Secretary Cecil talked of *cleansing the sea of pirates*, he ought to have blushed; as the conduct of Elizabeth, and her secretary, was clearly piratical, which was indefensible upon any known principle, if they did not avow actual *hostility*, to the Scotish queen, with whom Elizabeth was then at peace. (7.) Two Dutch vessels, which were employed to transport, from France, the Scotish queen's horses, and mules, were carried into England, by the English fleet, which was sent out to bring in the queen: The Dutch transports were after a while released: But, the queen's horses, and mules, were detained a month, before they were allowed to proceed, by land, to Edinburgh. The freight of the ships is charged in the Treasurer's books of the 28th of October 1561: And, there is a further charge, on the 19th of the same month, by the queen's command, "To John Livingston, Master Stabler, for expences made by him, upon 29 horses, and *mulattis*, conveyed with 28 men from Morpeth to Alnwick, and Berwick, holden in England, by the space of 31 days, and from Berwick to Edinburgh, two days, 343*l.* Scots." This, then, is a new fact, in the history of Mary's voyage to Scotland; and is an additional proof of the enmity of Elizabeth, on that occasion.

No. IV.—*The following Dispatch, from Randolph to Cecil, evinces with what rigours, the Lieutenant acted on the Borders.*

In my last of the 7th present, I wrote your honour, that the Earl of Marre was ridde to do some enterprise upon the thieves, that resorted to common markets, near unto the Borders. It came so well to pass, that upon Thursday last, he arrived, at Hawick, about ten of the clock, and having encompassed the town, with such as were appointed to that office, he being himself in the market-place, caused a proclamation to be made, that nō man, on pain of death, should receive a thief into his house, or hinder any man, that was known, or suspected of the like crime: Whereupon all those were taken, that were found in the street, and divers others found, that had hidden themselves, to the number of eighty-three, of the which

[a] Keith, 195, and the Treasurer's accounts of the 28th of October 1561.

twenty were acquitted by the assize; the rest condemned; of the which twenty-two were presently drowned there, for lack of trees, and halters, six hanged at Edinburgh, yesterday, being Monday; four of the number of Maxwell's own men sent unto him to be executed; and the rest are presently, in the castle of Edinburgh, in the queen's will. If your honour might hear of many such journeys, I believe the quietness upon the Borders should in short time be much greater than it is. The example hereof is very good; and the honour not little unto those, that put it so happily in execution.

Besides, those thieves of Tividale, and Langdale, are common enemies, to all virtue and policy: Those are also the people, in whom the Earl of Bothwell doth most trust in, if ever he gets his liberty; and therefore, I believe there will be the fewer number of them left alive, before that he come abroad. At Stirling, the 7th of June 1562.

No. V.—*Of Murray's Courtship of the Countess of Buchan.*

This intercourse, which has hitherto remained a mystery, may now be made quite clear, from an investigation of the Scotish records.

John, the master of Buchan, the heir-apparent of John, the Earl of Buchan, was slain, at the disastrous battle of Pinkie, on the 10th of September 1547; leaving an only child, Christian Steuart, who was then an infant, and became, by her father's death, *the mistress of Buchan*, or the apparent heiress of the Earldom of Buchan. On this lady, the Prior of St. Andrews, when he was not yet nineteen, cast his wishful eyes. And, on the 16th of January 1549-50, he entered into a contract of marriage, with James Steuart, the lady's uncle, to marry his youthful niece[b]. We thus see, that the contract was made with her uncle, and not with her grandfather, the Earl, but with his youngest son. This contract was never fulfilled, by the Commendator; but, under its cover, he contrived to deprive the heiress of her inheritance. In 1556, when he was twenty-five, he began

[b] Sutherland, *Add. Case*, v. 62: He was called *Commendator* in the marriage-contract: But, he then appeared, sometimes as Prior, and other whiles, as Commendator, as it suited his purpose.

his artful operations, while she was still under the marriageable age, and her grandfather was old, and unthrifty, to get the estate, within his grasp: As the Earl owed several sums of money, on the mortgage of several estates, with the right of reversion, the Commendator obtained, from the heiress, and her tutor, Sir Walter Ogilvie of Boyne, in 1556, assignations of the right of redeeming those mortgaged estates; and on those assignations, he procured, from the queen-mother, confirmations of the right of redemption [c]. The Commendator thus appears to have been a good lawyer, or to have had a good adviser, in his train; who thus enabled him to do a fraudulent act, by legitimate means.

Encouraged, by this success, he now set his heart not on the lady, but on the more considerable estates of the earldom. The Earl of Buchan, dying at the end of 1562, the Commendator, who had at length become the queen's chief minister, obtained a grant of the ward, non-entries, and relief of the whole estates of the Earldom of Buchan, and of all other lands, which pertained either to the Earl of Buchan, or to John, Master of Buchan, for all time past, or to come [d]. These grants, to the chief minister, were as illegal, as they were unjust: For, they contravened the Act of Parliament, which was made, during the late war; in favour of the heirs of those, who might fall in battle, in the queen's service; and which provided, that the heirs of those, who might die, by the visitation of God, or the sword of the enemy, "should have the ward, non-entries, and relief of their estates, and also of their marriage, free in their own hands, without the usual payments to the crown [e]."

On the death of the earl, his grand-daughter, Christian, succeeded to the Earldom of Buchan; as the heir of her father, John, the Master of Buchan,

---

[c] *Privy Seal Reg.* xxviii. fol. 16, 34, 49, 75, &c.; and grants dated the 24th April, 4th August, 27th and 29th December 1556, and 24th May 1557: And he, subsequently, obtained, on his own resignation, a charter, from the crown, on the 9th June 1562. *Privy Seal Reg.* xxxi. 33.

[d] *Privy Seal Reg.* xxxi. 70: The grant was dated the 31st January 1562-3: And, to make surety double sure, he obtained another grant, dated the 22d of September 1563. *Ib.* xxxii. 7.

[e] *Privy Seal Reg.* 1547. John, Master of Buchan, who died on Pinkie field, had obtained, on the 4th of August 1547, a charter of the Earldom of Buchan, to him, and his heirs; reserving a life estate to his father, the Earl. Sutherland *Add. Case*, v. 61; and the charter, which was printed, in Sir Rob. Gordon's *Add. Case, App.* xx. No. 3.

under the above-mentioned charter of the 4th of August 1547; and on which she obtained seisin, in 1551 [f], which legally completed her title to the Earldom. And she was entitled, under the Act of 1547, in favour of the heirs of those, who died, fighting for their country, to enjoy her rights, without paying any feudal incidents to the crown. The all-grasping minister of the queen, knew both the law, and the fact; yet, did he, in contempt of law, and defiance of justice, obtain a grant of those feudal incidents, as we have seen, which, by accumulations, since the death of John, Master of Buchan, in 1547, amounted to vast sums; and for which he obtained judicial appreciations, and thereupon charters from the crown: Thus, did the queen's minion obtain titles to the countess's estates, legal, indeed, in appearance, but unjust, in their principle, and abominable, in the means [g].

He did not stop here, in his career of illegality, and injustice. In order to make such an acquisition more sure, the minister of Mary had, previously, obtained from James Steuart, the younger son of the late Earl, and uncle of Christian, a release of all the claim, which he could form to the Earldom of Buchan: In consideration of this release, the minister engaged, to maintain James Steuart in his house, till he should give him a benefice, or other provision of 200 marks, yearly; and as soon, as the minion of Mary should obtain the estates of the Earldom of Buchan, he engaged to augment that provision to 300 marks for life [h]. Such, then, were the sad effects of living under a tyranny, where wicked men bore sway.

After all those grants to the Earl of Murray, by the operation of which he obtained possession of the whole property, belonging to the Earldom of

---

[f] Sutherland's *Add. Case*, v. 61.

[g] For the charters of appreciation, in 1563-4-5, see the *Privy Seal Reg.* xxxii. 44, 56, 140; and the charters, in the *Great Seal Reg.*

[h] *Privy Seal Reg.* xxxiv. 49: In which that agreement is recited to have been made several years, before February 1565-6: It was afterwards ratified, on the 18th of April 1567: And the provision of 300 marks was yearly paid out of the revenues of the Priory of Pittenweem. *Ib.* xxxvi. 48. It is to be remarked, that James Steuart's right was worth buying; as he was the male heir of the earldom; and would have inherited it, as it was limited to *male heirs*; but for the charter of the 4th of August 1547, vesting the earldom in the master of Buchan, and his *heirs general*; whereby, the succession came to his female heir, Christian: Yet, as that charter was granted, in the queen's minority, it was liable to revocation; and her minister had the power of doing this, in his own hands, if the helpless heiress had attempted to quarrel his proceedings, in depriving her, by chicanery, of her inheritance.

Buchan, he was still anxious, for a new one: On the 3d of June 1565, he obtained a charter from the queen, on his own resignation, containing a new grant of the whole property to himself, and his heirs, male, and female; whom failing, to Christian, the lawful daughter of the late John, master of Buchan, and the lawful heirs of her body, whom failing, to James Steuart, lawful son of the late Earl of Buchan; whom failing, to the lawful heirs of the Earl of Murray[i]. At the epoch of that grant, he was, in the height of his rebellion against the queen, whom he was preparing to ruin, by similar arts.

The unfortunate Countess of Buchan was induced, from poverty, to marry the *second* son of Douglas of Lochleven, who assumed her title: And, she lived, obscurely, with her husband, in the family of his elder brother, within the ill-fated castle of Lochleven. Several years after the death of the regent Murray, the Countess of Buchan, and her husband, endeavoured to recover the estates, of which she had been cheated. On the 7th of April 1574, the regent Morton, who was the relative of the Douglases of Lochleven, directed a charter, from the king, to be granted to the Countess, and her husband, of the estates, and heritable offices of the Earldom of Buchan[k]. But, this charter appears to have been ineffectual, at the time; and the heirs of the Earl of Murray continued to enjoy the estates, belonging to the Earldom of Buchan, though the descendants of the Countess Christian kept up their claim; and seem to have obtained a part, either by compromise, or compulsion[l]. Such clashing services to the

---

[i] *Privy Seal Reg.* xxxiii. 53; and the charter in the *Great Seal Record.* In the Treasurer's Accounts, there is, on the 26th of February 1565-6, a payment, by command of the king, and queen, to the Clerks of the Session, "for writing *certain contracts*, between *James, Earl of Murray, and the Countess of Buchan.*" What the contracts were, does not appear: Perhaps, he was obliged to make, some provision for the Countess, whom he had swindled out of her estate: On the 26th of February 1565-6, Murray was an exile, in England, on account of his rebellion against the queen; and did not return till after the assassination of Rizzio, on the 9th of March 1565-6; when he came in by force; expecting the queen to be dethroned, as the result of that conspiracy.

[k] *Great Seal Reg.* xxxiv. No. 123; the Sutherland *Add. Case*, v. 63.

[l] On the 7th of September 1615, Mary Douglas, the Countess of Buchan, was served heir to her grandmother, Christian, the Countess of Buchan, in the estates, and offices, which appertained to the Earldom of Buchan. *Rec. Inquis. Speciales.* On the 21st of April 1615, James, Earl of Murray, was served heir to his grandfather James Earl of Murray, in the estates, and offices, which appertained to the Earldom of Buchan. *Id.*

estates of the Earldom of Buchan evince, that those estates, and offices, were still subjects of contention, between the grandchildren of the Regent, Murray, and the grandchildren of the Countess Christian, his first love. From this detail we may perceive, that nothing was too low, or too high, for the swindling ambition of the good regent; whether he bereaved a Countess of her marriage, and patrimony, or a queen of her sceptre, her character, and her kingdom.

No. VI.—*Of the Marriage, and Family, of the Earl of Murray.*

The year 1562 was one of the happiest, in the life of this extraordinary man. On the 30th of January 1561-2, he obtained a grant of the Earldom of Murray. On the 4th of February, thereafter, he was legitimated, a second time. On the 7th of this month, he acquired a grant of the Earldom of Mar. And on the 8th of the same month of February 1561-2, being Shrove-Sunday, Murray, who was then, in the 31st year of his age, was married to Agnes Keith, the eldest daughter of William, Earl of Marischal, whom Sadler, in 1543, reported, to be a goodly young gentleman, as bearing a singular good affection to Henry VIII., and to the marriage of his son to the young queen: And this same young gentleman was, soon after, engaged in the treasonous conspiracy of Wishart, before mentioned, which ended in the foul assassination of Cardinal Beaton [m]. Such was the family into which Murray thought fit to match himself, after *bilking* the Countess of Buchan. The triumph, and feasting, continued several days, till the godly were all scandalized [n]. The marriage was celebrated in court;

[m] See No. I. in this *App.*

[n] Knox says, "The greatness of the banquet, and the vanity thereof, offended many godly; then began the masking, which has continued, from year to year since. The marriage was solemnised in the Kirk of Edinburgh; and Knox gave them a serious admonition to behave themselves, moderately, in all things." Knox, 302. Buchanan adds, that at this marriage, there was such magnificent feasting, and immoderate luxury, that his friends were very much offended at it. Lord Dacre, the English Warden of the Marches, sent the Earl of Mar [Murray] a couple of very fat does, for his marriage; and by Mar's desire, Randolph requested Cecil to convey Elizabeth's thanks to Lord Dacre, for his attention. Randolph to Cecil, 21st Feb. 1561-2, in the Paper Office.

and the queen gave a splendid entertainment, for several days, which she graced, by knighting nine gentlemen of Fife[o]. The queen, said Randolph to Cecil, liketh well his wife, and his choice was preferable to that of any of his *brethren*[p], which went before him.

Of this marriage, so solemnised, and so praised, and so blamed, there was issue: 1st. Elizabeth, in 1563, who, in 1580, married James Steuart, the son of Sir James Steuart of Down, in whose right, he became Earl of Murray, with deficient titles. 2dly. Annabell, in 1564, who probably died, before March 1574-5. She is not mentioned, by any of the Peerage writers: But, her father, the regent, on the 31st of May 1569, granted in the king's name to his second daughter Annabell Steuart, the ward, and non-entries, annual rents, and possessions, which belonged to the late Edward Lord Crichton of Sanquhar, since his death, and till the entry of his heir; and, also, the marriage of Robert, his son, and heir[q]; 3dly. Margaret, in November 1565, who married Francis, Earl of Errol, for his second wife, and died without issue[r]. 4thly. Murray's wife is said to have miscarried, on the 8th of February 1566-7, at the time of Darnley's murder: One might suppose, from such a circumstance, that she was, in the foreknowledge, as well as her husband, of this atrocious assassination.

No. VII.—*Of the several Titles to the Earldom of Murray; of the various Grants solicited, by the Lord James, for this Earldom; and of the Queen's Expedition into the Northern Shires; in order to put her bastard brother in possession, notwithstanding Huntley's right.*

James, Earl of Murray, the natural son of James IV., who obtained, from his father, in June 1501, the earldom of Murray, in fee, died on the 29th of December 1544[s], without issue, though he had a child, Mary,

---

[o] Pitscottie. [p] Any other of the king's bastards.

[q] *Privy Seal Reg.* xxxviii. 58.

[r] After Murray's expulsion, in October 1565, his wife was conducted to Berwick, *there, to be delivered of child.* Bedford's letter to Cecil, from Hexham, 16th October 1565, in the Paper Office.

[s] Smith's *Chron.* Harl. *MS.* 2363; and *not* on the 12th of June 1544, as the *New Peerage* has it.

who married John, the master of Buchan, and who died, without children, before his father: Thus did the earldom of Murray return to the crown, in December 1544, two years after the demise of James V., and the birth of Mary, his heiress.

Earl James left his widow, Elizabeth, the daughter of Colin, Earl of Argyle; and she held a part of the earldom, as her dower. Soon after her husband's death, she obtained, on the 6th of February 1544-5, a lease, for eleven years, of the remaining part of the earldom, which was not held by her, in dower, for which the Countess stipulated, to pay to the queen, as had been paid, by the late earl, according to his rental; but, out of such payment, she was allowed to retain 100*l.* a year, with various incidental perquisites, for keeping the Castle of Tarneway, the chief mansion of the earldom [t]. On the same day, Sir John Campbell of Calder, her uncle, obtained a lease, for eleven years, of Strathern, Pettie, and Brachlie, which were in the queen's hands, by the death of the late earl; for which he was to pay what the late lord had paid, according to the earl's charter of fee-farm [u]. And, the Countess Elizabeth, with her uncle, Sir John, soon after, obtained a grant of all the goods, which had pertained to the late earl, and were then in the queen's hands, by escheat, or otherwise [x]. In this manner, then, were disposed of the whole estates, real, and personal, of James, late Earl of Murray.

In 1546, the Countess Elizabeth married John, Earl of Sutherland: And on the 12th of June 1546, the Countess, and her husband, obtained a lease, for eleven years, of the whole earldom, except what she held of it, in dower, on the same terms, as the Countess's lease of the 6th of February 1544-5 [y]. Elizabeth, Countess of Murray, and Sutherland, died, in the springtime of 1548; when that part of the earldom, which she held, in dower, devolved to the crown. The queen-mother now interposed, in this profitable traffic; and, on the 18th of May 1548, obtained a lease, for nine years, without payment of rent, for that part of the earldom of Murray, which the late Countess Elizabeth had held in dower; and the queen-dowager, also, obtained a grant of the rents, which John, Earl of Sutherland, then paid on his lease of the remaining parts of the earldom of Murray [z]. On the 12th of August 1548, John, Earl of Sutherland, obtained a lease, for six years, from Whitsunday, preceding, of all those lands of the

[t] *Privy Seal Reg.* xviii. 114. [u] *Ib.* 109. [x] *Ib.* [y] *Ib.* xx. 29.
[z] *Ib.* xxii. 2.

earldom of Murray, which the late Countess Elizabeth held in dower, for which he agreed to pay such rents, as were contained in the late earl's rental. Such, then, was the complicated state of the earldom of Murray, when it was granted, as we have seen, to the Earl of Huntley, in February 1548-9. The Earl of Sutherland had one lease of a large part of the earldom, till Whitsunday 1557, and a lease of a smaller part, or the remainder, till Whitsunday 1554: And, the queen-mother, by her grant of the 18th of May 1548, had a right to the several rents, which were payable, by the Earl of Sutherland, till Whitsunday 1557.

George, Earl of Huntley, and Chancellor of Scotland, on the 13th of February 1548-9, for his great services, in peace, and war, obtained, from the crown, a grant of the whole earldom of Murray, with its appurtenances, as well as the lands of Pettie, Brachlie, and Strathern [a], which had belonged to the late Earl of Murray; the whole being united, and erected into an earldom, called the Earldom of Murray, and the Castle of Tarneway to be the principal messuage; to be held of the crown, by ward, and relief, and marriage [b]. After this grant, Huntley bore the titles of Earl of Huntley, and Earl of Murray; and he certainly bore those titles, when the queen-mother obtained the regency, in April 1554. It may be of use to inquire here, briefly, what was the state of the Lord James, the bastard, at that period. Born, in 1531, a bastard, he entered the world a mere adventurer; as the law knew little of the rights of bastards. In 1538, he was appointed, by his father, Commendator of the rich Priory of St. Andrews. In July 1548, when the queen was sent to France, for avoiding the violence, and machinations of Henry VIII., the youthful Commendator went with her, "to the sculis, and study." He seems not to have remained long, at the *sculis* of France; as in the Council of the Scotican Church, which sat, at Edinburgh, in November, he appeared, and sat, as "*Jacobus Prioratûs Ecclesiæ Primatialis, S. Andreæ Commendatorius* [c]."

[a] Those lands, as we have seen, were held, by Sir John Campbell, by a lease, which would expire, in February 1555-6: On the 8th of September 1552, Alexander, Lord Gordon, Huntley's heir, obtained a grant of the same lands, so held, by Sir John Campbell. *Ib.* xxv. 10. Lord Gordon died, before August 1553, without issue; and was succeeded, by his neighbour, George, Lord Gordon.

[b] *Privy Seal Reg.* xxii. 86; and see the charter, in Gordon's *Hist.* of the Gordons, *App.* xx.

[c] Sir David Dalrymple's *Councils*, p. 29: As the Commendator was born, in 1531, he was now scarcely 18: For reformation of an illiterate clergy, the Council passed *fifty-seven* canons: What part our Commendator acted, appears not.

He soon after employed, his usual enterprise, in a very different affair. In January 1549-50, he entered into a contract of marriage with Christian, the heiress of the earldom of Buchan: But, instead of fulfilling this contract, he cheated the lady out of her marriage, and the estates belonging to her dignity. This shows how early the Commendator had formed designs, to acquire estates, in the North, by whatever means. In 1550, he formed his corrupt connexions with England; by receiving money, from Edward the Sixth's ministers, as he then went to France, and as he returned. The Commendator soon after obtained, in France, owing to whatever interest, the rich Priory of Mascou, *in commendam*[d]. We have now seen how Huntley, and the Commendator, severally, acted, during the disastrous times of Mary's minority.

Though Huntley had contributed, greatly, by his influence, to obtain the regency, for the queen-mother; yet, did she treat him, severely, owing to whatever cause[e]. In June 1554, an ordinance was passed by the queen-regent, in her Privy Council; directing Huntley and Argyle, severally, to raise an army, to carry fire and sword into the country of Clanranald, of Donald Goram, and of M'Leod of the Lewis. To destroy a whole people, by fire, and sword, was not very agreeable, nor an easy service, though such a process was not unusual in Scotish policy. On the 10th of October 1554, Huntley came before the regent, in council, to give an account of his conduct: When, after probation, and reasoning, it was declared, that he had failed; and ought to be punished, at the queen's pleasure[f]: This

---

[d] Goodall, i. 153: Pope Paul's Dispensation, for this, was dated the 7th of January 1555-6, which evinces, that our Commendator had obtained it, some time before: He owed this addition to his income, probably, to the recommendation, and influence, of the queen-mother, who had for some time used the most corrupt means, to obtain the regency of Scotland, in the room of Arran, the Governor.

[e] Her enmity may have arisen, from this circumstance: She held a temporary grant of the rents of the Earldom of Murray, at the time, when Huntley obtained a grant of the whole Earldom, in fee. This circumstance was altogether unknown to the Scotish historians. The historian of the Gordons intimates, that Mons. D'Oysel insinuated to the queen-regent, that Huntley's power was too great, and advised her, to diminish his authority. It is quite certain, that she extorted, from Huntley, a resignation of the earldom of Murray; as Gordon of Straloch intimates, in his account of Murray, in Blaeu's *Atlas*, 126. Lesley, and Buchanan, give very different accounts of the punishment of Huntley, by the regent-queen: But, neither of them is quite accurate.

[f] Keith, *App.* 70.

punishment was somewhat expiated, perhaps, by Huntley's resignation of the earldom of Murray.

It is certain, however, that a Commission was granted, on the 2d of July 1555, to John, Earl of Sutherland; constituting him the queen's *Baillie* of her earldom of Murray, and lordship of Abernethy, during the three following years[g]: This Commission expired, in July 1558. But, the regent-queen, by her imprudence, lost the influence, and support, of Huntley, during the revolutionary years 1557, and 1558: And thus, did the regent, and Huntley, lose authority, and consequence; while the Commendator gained both, by putting himself at the head of the zealots, for change, both in religion, and in power.

The regent saw, perhaps, her error too late. On the 28th of June 1559, she constituted the Earl of Huntley, Baillie of all the king, and queen's lands of Braemar, Cromar, and Strathdee, in Aberdeenshire, and of Pettie, Brachlie, and Strathern, in Inverness-shire, during the *five* subsequent years, with the usual power of jurisdiction, and management; the rents, and duties, to be accounted for, to the king, and queen[h]. The regent-queen, as she was pressed upon, by the Commendator, and his reformers, endeavoured to regain Huntley: But, the queen, and Huntley, had now both lost authority; since a new power had arisen, in the state; and, perhaps, he had lost heart, and hope, from the mutability of her conduct. Yet, is it certain, that a lease was granted to Huntley, and his wife, Elizabeth Keith, and their heirs, and assigns, on the 31st of July 1559, during *five* years, from Whitsunday preceding, of the lands, fishings, revenues, of the earldom of Murray, and lordship of Abernethy, with the appurtenances, together with the keeping of the Castle of Tarneway; they paying yearly into the Exchequer 2,500 marks Scots[i]. We may thus see what an interest Huntley, and his wife, had, in the earldom of Murray, till Whitsunday 1564: And, we may remember, that the Commendator solicited, and obtained, from the queen, in January 1561-2, a grant of the earldom of Murray, which clashed, extremely, with Huntley's right. On this simple state of the facts, we may, easily, perceive, that the Commendator commenced an attack on the Earl; and not the Earl on the Commendator.

But, let us examine this interesting subject a little more minutely. The Commendator being one of the Commissioners, who went to France, in

---

[g] *Privy Seal Reg.* xxvii. 119. [h] *Ib.* xxix. 79. [i] *Ib.* 86.

February 1557-8, to witness the queen's marriage with the Dauphin, seized that joyous occasion, to solicit his sovereign, for the earldom of Murray: But, the queen, being apprized, by the regent-mother, of his purpose, exhorted him to continue, in the sacred office, to which his father had destined him; and withall gave him hopes of church preferment, both in Scotland, and in France. The Commendator, for the present, submitted; but, never forgave the queen-regent, for his disappointment: And he urged the reformers, with more energy, to establish, by force, and fraud, what they could not obtain, by solicitation, and favour[k]: Hence, the tumults, and warfare, at home, and the association with Elizabeth, till they proceeded the full length of displacing the regent queen, and of assuming the whole authority, and powers, of the sovereign queen. The appointment of the regent, as it had been settled, by the Estates, was thus pushed aside, by domestic faction, and foreign intrigue: The regent-queen died on the 10th of June 1560, which left Francis, and Mary, without any government, in Scotland: And, what they lost, in power, and influence, was readily found, by the Lord James, and his faction.

The demise of Francis II. on the 5th of December 1560, was attended with the greatest effects, in Scotland. All parties courted the queen, after it was understood, that she was about to return to her native kingdom. The Lord James, with the apparent powers of a Convention, which had met at Edinburgh, again repaired to France, to wait upon the queen; avowing to her, that he had not any power, from any parties; as he had come merely to offer his duty, and services: He now, however, solicited the restoration of his French pensions, which had been sequestered, on account of his rebellious conduct: And, he again asked, for the earldom of Murray, which, she declined, for the present, rather, than denied altogether, giving hopes of success, on her return to her kingdom, and the re-establishment of her government[l].

The queen, whatever obstructions were opposed to her return, arrived, at Edinburgh, on the 19th of August 1561: And whatever warnings she may have had, she put herself, and her government, into the hands of the

---

[k] Lesley's *Hist.* 533.

[l] *Ib.* Every thing, on such an occasion, is important: The Commendator departed on the 18th of March 1560-1, from Edinburgh to France; taking his road, through England; he saw the queen, at St. Dizier, on the 15th of April; and he set out from Paris, on his return, on the 5th of May, through London, when, and where, he gave it, as his opinion, to Cecil, that the queen's passage ought to be obstructed.

Commendator, as her minion, and his associates, as her ministers; though both the minion, and the Secretary, had advised Elizabeth, and Cecil, to intercept her passage. She could not act otherwise, without embroiling herself, with the Lord James, and his all-powerful faction, and incurring the open enmity of Elizabeth. She gave up her mind, so completely, to her minion, that she could deny him nothing: And hence, the absurd grants, which he asked, and she conceded: Such was the grant of the earldom of Murray, to the Commendator, under the Privy Seal, on the 30th of January 1561-2[m]. Supposing the Commendator's title to have been, as complete, as it was incomplete, what was the operation of law upon it? The Earl of Murray would have now stood, as to Huntley, in the place of the crown; and Huntley would have been let down, to be the tenant to the Earl, and would have owed his rent to him, instead of the queen: And nothing more would have remained, suppose the charge to have been, legally, effected, but to have given notice to Huntley that he must acknowledge the Earl, as his lord, to whom he must yearly pay his stipulated rent[n]. In common life, such solicitations, both publicly, and secretly, by

[m] *Privy Seal Reg.* xxxi. 45-6. This grant, under the Privy Seal, was only an inchoate title; to make a complete right required a grant, under the Great Seal: But, Huntley then had the custody of the Great Seal. There is an intricacy, in the grants of the family of Murray, says Lord Hailes, which will require some pains to unravel. On the 30th January 1561-2 there was a grant to the Lord James under the Privy Seal, as we have seen above. On the 7th of February 1561-2, the Lord James obtained a grant, under the Privy Seal, of the earldom of Mar, and to his heirs male. *Ib.* of that date. This grant he soon after resigned; *retaining, however, some of the lands belonging to the earldom of Mar.* On the 22d January 1563, he obtained another grant of the earldom of Murray, and to his heirs male. On the 1st of June 1566, on his own resignation, he obtained another grant of the earldom of Murray, to him and his wife, and their issue. In April 1567, the Earl obtained a ratification from the Parliament, of the grant of January 1563, and to his heirs male; which Act of Parliament took no notice of the intermediate charter, 1566. [*Acta Parl.*] Why he should relinquish the charter 1566 is impossible to determine, says Lord Hailes, who did not advert, that the Earl had gone off to France, and left his political interests in the care of Morton, and Maitland, who, perhaps, did not know anything of the charter 1566, which certainly was larger, than that ratified by the Parliament of April 1567, which ratified so many titles.

[n] It is impossible to conceive, that the queen was acquainted with the complicated rights of Huntley, and his wife, on the earldom of Murray, at the epoch of her grant to the Commendator, on the 30th of January 1561-2: But, the Commendator was, perfectly, aware of Huntley's pretensions: So secretly was that grant, under the Privy Seal, kept, that Randolph, the English ambassador, and associate of the

one gentleman against the interests of another, would be deemed a personal affront: In this case, the conduct of the Commendator, is a proof of his designs on Huntley's rights, whatever they were.

Robertson, indeed, could not comprehend what object the Lord James, and Commendator of St. Andrews, could gain, by the ruin of Huntley, and his family: The following detail would have instructed the historian, both as to the minion's object, and his gains, by his guilty expedition into the northern shires: 1. Lord James obtained possession of the earldom of Murray, and lordship of Abernethy, with the sheriffship of the county of Elgin, and Forres, and the queen's *firms*, or revenues of the boroughs of Elgin, and Forres; and also the lands, and lordship, of Strathern, Pettie, and Brachlie, &c.

2. He obtained the sheriffship of the extensive county of Inverness, which then comprehended Inverness, Ross, Sutherland, and Cathness; with the custody of the castle of Inverness, and the various lands attached to it; all which belonged, heretably, to Lord Gordon, Huntley's heir.

3. He acquired the lands of *Strathnairn*, and Cardell, which, by the queen's mandate, were transferred to Murray, by James Ogilvie, when he obtained the lands of Finlater, and Deskford, on the forfeiture, and death, of Sir John Gordon.

4. He acquired a lease of the extensive lordship of Badenach, on the forfeiture of Huntley.

5. He obtained a grant of the wardship of the estate of Culloden, which was held by Huntley.

6. He gained complete command of the north, which had been long enjoyed by Huntley.

7. His three bastard brothers acquired the chief estates of Huntley, in Banff, and Aberdeenshires, with the whole earldom of Sutherland; all

---

Ambassador, did not know any thing of it, till the Commendator took possession of the mansion-house of Tarneway, in September 1562; and even then, the date of the grant was concealed from him. This appears, from his dispatch to Cecil, dated the 13th of September 1562, in the Paper-Office. But, the late Lord Hailes, when he wrote the Countess of Sutherland's *additional case*, which was made public, in 1570, might have shown to Dr. Robertson the several *title-deeds* of the Regent Murray, which were, according to Lord Hailes, *ambiguous*, and *intricate*: But, ambiguity, and intricacy, are sure marks of design, and fraudulence!

which, except Sutherland, were entailed on Murray; failing the lawful heirs of the several grantees [o].

Add to all those specifications of benefits to Murray, by the ruin of Huntley, what Randolph wrote to Cecil, from Aberdeen, on the 24th of September 1562: "It may please your honour to know, that the queen hath given the earldom of Murray, (which was once Earl Thomas Randolph's) to the Earl of Marre: It is both more honourable, and greater in profit, than the other: He is now no more Marre, but Murray." Randolph, in his letter to Cecil of the 30th of September, subjoins: "The Earl of Murray will do much good in this country: His power of men is great, and the revenue esteemed to a thousand marks, by the year. The countrie is pleasant; the place called *Ternawage* very ruinous, saving the house, very fair, and large, builded like many, that I have seen, in England. The last earl was King James V. bastard brother, well beloved, and well spoken of, in those parts: Since that time, the whole countrie hath been under the government of the Earl of Huntley; and now being given away, from him, hath lost great commodity, which maketh him the more offended." [The original letters of Randolph to Cecil are in the Paper Office.]

These grants, indeed, to Murray's bastard brothers, and his own lease of Badenach, fell upon the restoration of the Earls of Huntley, and Sutherland, some years after: But, Murray retained all the other estates, and offices, except the wardship of Culloden, that was restored to Huntley's heir, when Murray went into rebellion.

That there was a plot of Murray against Huntley, for his ruin, is now quite plain: Of any plot against Murray, much less any disloyalty to the queen, there is not the least evidence. The letters of Randolph to Cecil are filled with the lies, and misrepresentations, of Maitland, and Murray: But, Randolph, has this passage, in his letter of the 18th of September 1562, from Spynie: "At the queen's coming northward, passing within four miles of Huntley's house, after that he [Huntley] could, by no entreatie

[o] To the injustice of the Earl of Sutherland's forfeiture was added, the insult of granting his earldom to his wife's bastard son, [Robert Steuart, in a bastard of James V., by Eleanor, the sister of the Earl of Lennox,] while the Earl had, by his wife, several legitimate children, who were thus left destitute; except the eldest, who was then under fourteen years of age, to whom were given some lands, in the barony of Aboyne, which his father had held of Huntley; and which did not belong to the earldom of Sutherland. *Privy Seal Reg.* xxxii. 51. of the 6th of March 1563-4.

cause her Grace to come into his house, he desired her to give leave unto my Lord of Argyle, to bring me thither, where we were two nights: His house is fair, and best furnished of any house, that I have seen in this country: His cheer is mervellous great: His mind, then, such as it appeared to us, as ought to be, in any subject to his sovereign." [In the Paper Office, unpublished.] It is a remarkable fact, that in the attainder of George, Earl of Huntley, after his death, it is not so much as pretended, that he had done, or imagined, any treason, before the 28th of August 1562, when Murray, and his faction, forced him into rebellion against his will: This implies, that they had no charge against Huntley, or his friends, before the 28th of August 1562. The rescinding act, 1567, is the best proof of their innocence.

No. VIII.—*How far the Earl of Murray attempted to obtain from the Queen an Entail of the Crown, in favour of certain Persons of the Name of Steuart.*

(1.) At the Parliament holden, on the 13th of March 1542-3, the three Estates, declared James, Earl of Arran, the nearest to succeed to the crown, failing the queen, and her issue [p].

(2.) After the ruin of Huntley, the forfeiture of Sutherland, and the expulsion of Bothwell, the Earl of Murray urged the queen to entail the crown on the name of Steuart, and to place himself the first in the entail: But, she declined to violate the settlement, which had been made, on the lawful heirs [q]. This fact, then, seems to be incontrovertible.

(3.) It is said, that this entail was intended to be made upon four persons of *the Steuart name;* of whom the Earl of Murray was to be *the first:* It is more than probable, that the other three persons, who were in his intention, were his three bastard brothers; John, Lord Darnley, and

---

[p] Epistolæ Regum Scotorum, *App.* v-vi.; *Acta Parl.*

[q] The convention of seven earls, twelve lords, eight bishops, and eight abbots, which met, at Dunbarton, on the 12th of September 1568, are express upon the point. [Goodall, ii. 358.] Bishop Lesley's *Defence,* of 1569, p. 36, is also positive, that the Earl laboured to induce the queen, "to entail the crown upon himself, though he were illegitimate, and incapable thereof." [Goodall, i. 199. Dalyel's *Introd. to the Scot. Poems,* 68-9.] He had been twice legitimated, by the queen.

Commendator of Coldingham; Robert, Commendator of Holyrood; and Robert Steuart, jun. the son of James V., by Eleanor Steuart, the sister of the Earl of Lennox, and the Countess of Errol, and Sutherland.

(4.) It is remarkable, that in all the grants, which were made to the queen's bastard brothers, of the forfeited estates of the Earl of Huntley, and his sons, those estates were entailed on all the four brothers, in succession; the Earl of Murray being the first person, in the grants to himself, and the second person, next to the grantee, in the grants to the other three brothers:—

The grant, on the 6th of May 1563, of the sheriffship of Inverness, and of the custody of the castle of Inverness, with various lands thereto attached, was made to the Earl of Murray; whom failing, to his brothers John, Robert, and Robert, in succession:—

The grant of confirmation, on the 6th of May, of the lands of Cardell, and Strathnairn, was made to the Earl of Murray; whom failing, to his three brothers, in succession[r]:—

The grant of confirmation, of the 6th of May 1563, which was made of Cardell, and Strathern, was, to the Earl of Murray, and his heirs male; whom failing, to his three brothers, in succession.

The grant, on the 4th of June 1563, was made to John, Lord Darnley, and his heirs male, of the lordship of Enzie, and forest of Boyne; whom failing, to the Earl of Murray, and the two other bastard brothers[s]:—

The grant, on the 22d of June 1563, of various lands in Banffshire, was made to John, Lord Darnley, and his heirs male; whom failing, the property was entailed on the Earl of Murray, &c.[t]:—

The grant, on the 16th of June, was made to Robert, Commendator of Holyrood-house, and his heirs male, whom failing, it was entailed on the Earl of Murray, &c.[u]:—

When John, Lord Darnley, died in autumn 1563, his estates were granted to his son, and his heirs male; on the 6th of March 1563-4; whom failing, they were to result to the Earl of Murray, &c.[x]:—

When the lordship of Darnley was restored to the Earl of Lennox, in December 1564, Huntley's lordship of Badenach was granted, in lieu of it; and entailed, in the same manner, on the Earl of Murray[y].

---

[r] *Privy Seal Reg.* xxxi. 74-5. [s] *Ib.* 105-6. [t] *Ib.* 130.
[u] *Ib.* 117. [x] *Ib.* xxx. 72. [y] *Ib.* 121.

From all those records, we may now perceive, that the ambition of Murray was unbounded; the crown was not too high, nor those obscure lordships too low, for the mighty grasp of his ambitious cupidity.

No. IX.—*An Investigation of what the Earl of Murray had acquired, before he went into Rebellion, on account of the Queen's Marriage, on the 29th of July* 1565.

As the king's bastard, he entered the world, without property, or rights; but with some pretensions: Born in 1531, he had acquired, by fraud, and force, before he was thirty-four years of age, the following preferments, and estates: 1. The priory of St. Andrews, the richest, in Scotland, which had been given him, *in commendam*, by his father, in 1538.

2. The priory of Pittenweem, which was conferred on him, by the queen-regent, in 1555.

3. The earldom of Murray, and lordship of Abernethy, and also Strathern, Pettie, and Brachlie, of all which he obtained a grant, from the queen, on the 30th of January 1561-2; and acquired possession thereof, in September 1562, by his artifices, and crimes.

4. He held the castle of Inverness, with various lands, which were attached to it; and the sheriffship of the extensive county of Inverness, comprehending Ross, Sutherland, and Cathness; all which he obtained, from the queen, upon the illegal forfeiture of the Lord Gordon, who held the whole, *heretably*.

5. The lands of Strathern, and Cardel, which by the queen's mandate, were transferred to him, by James Ogilvie, who obtained the lands of Findlater, and Deskford, on the forfeiture of Sir John Gordon.

6. The estates, and jurisdictions, of the earldom of Buchan, of which he deprived the heiress, by the unworthy means of illegal grants, which he obtained, by charter, under the great seal, when he acted, as the queen's minion.

7. The extensive lordship of Braemar, Cromar, and Strathdee, of which he obtained a grant, from the queen, in fee-firm, in December 1564; but, in disherison of the family of Erskine.

8. He had also a lease of the lordship of Badenach, and the wardship of

Culloden, which he lost, by his rebellion; when all these were restored to Huntley.

Enjoying all those vast possessions, with remainder entail of many others, the Earl of Murray was the richest, and most powerful subject, in Scotland, by means of the queen's imprudent bounty, and his own gross rapacity; all which his ambition threw upon the cast of his rebellion.

It does not appear, that Murray was deprived of that vast property, by his rebellion; and he was reinstated in possession of the whole, by the queen's pardon, on the 21st of March 1565-6: The assassination of Rizzio, whereby, he was restored, in fact, happened, on the 9th day of the same month of March.

Though he was thus restored to his vast possessions, by the liberality of his sister, and queen: Yet, owing to the parsimonious supplies of Elizabeth, the protector of his ambition, he was, by his rebellion, involved, in pecuniary distresses, which hung upon him, who courted the attachment of many dependents, during his life, notwithstanding his great resources, from the priories of St. Andrews, and Pittenweem. *Privy Seal Reg.* xxxv. xxxvi. and xxxvii.

On the 31st of January 1566-7, only *ten days before* the murder of Darnley, Murray obtained a fresh grant, from the king, and queen; stating that Murray having, *in their majesties' service*, superexpended his rents, and patrimony, and incurred debts, was forced to set the lands of the priories of St. Andrews, and Pittenweem, in feu [ground-rent,] and the kirks, teinds, and teind-sheaves thereof, in lease for nineteen years; receiving *grassums* [fines] for the same, which *feus*, and leases, their majesties have already confirmed, or are to confirm: They, therefore, ordain, that all feus, and leases, made, or to be made, by him, as Commendator of the lands, kirks, teinds, and teind-sheaves, belonging to the said abbeys, shall be as solid, and good, to the persons, receiving the same, as if they had been leased to the uttermost avail of the rental. [*Privy Seal Reg.* xxxvi. 1.] The statement, in the preamble of this grant, that he had incurred his debts, *in their majesties' service*, is very remarkable; but, the real fact could not be openly avowed, that he had incurred so many debts, by a rebellion against their majesties. While Murray had the direction of the queen's affairs, he not only obtained grants of vast possessions, for himself; but also provided, for his numerous adherents, by offices, pensions, and grants of the casualties to the crown belonging. After he went into rebellion, he was

obliged to reward his many dependents, from the revenues, and lands, of his two priories; as hath been shown above. [See the *Privy Seal Reg.* xxxv. and xxxvi.]

We have thus seen what vast estates he obtained, while he was the queen's minion. It is now proper to inquire, what acquisitions he made, *after* he dethroned the queen, and became Regent, for her son.

The same faction, which dethroned the queen, made an act of their council, on the 21st of July 1567; prohibiting the payment of rents, duties, or other income to Patrick Hepburn, the bishop of Murray, and abbot of Scone; as he had received into his house his relation, the Earl of Bothwell[z]. The bishop, under such circumstances, was induced to grant to the Regent Murray, his heirs, and assigns, the whole lands, ports, fishings, with the pertinents, which belonged to the bishoprick of Murray, to be held, in fee-firm: And this grant was confirmed, by a charter, on the 1st of October 1569[a]. The bishop made another grant to the Regent, and *his heirs male*, of the office of baillie, and justiciary, of the regality, and lordship of Spynie, which belonged to his bishoprick, with the custody of the castle of Spynie, the lake, and wood of Spynie, with the cunningares, gardens, orchards, and the pertinents, lying about the castle, and also of 200*l.* annually, received out of the rents of the regality of Spynie. This grant was also confirmed, by a charter, on the 16th of December 1569[b]. The first of those grants deprived the bishoprick of its lands, and fishings; and the second would have denuded it of the castle, and its jurisdictions, and pertinents; if the Regent had not soon after died, without heirs *male*.

The abbey of Kelso had been conferred, by the queen, on her infant nephew, Francis Steuart, in lieu of the priory of Coldingham, which his father had held. In 1569, the Regent Murray obtained, from this boy, his nephew, and William Lumisden, the rector of Cleish, his administrator, during his nonage, a grant to him, and his heirs male, in fee-firm, of the whole estates of the abbey of Kelso; comprehending the town of Kelso, and many lands, mills, fishings, and other property, in the four shires of Roxburgh, and Berwick, Dumfries, and Peebles: This grant was confirmed, by a charter under the great seal, on the 10th of December 1569[c]. This opulent grant was, also, disappointed, by his sudden death, without

---

[z] Why; the Earl of Murray, two days, only, before he set out, for France, entertained Bothwell, to meet Elizabeth's envoy, Kyllygrew, *after* he had been charged with the king's murder. [a] *Privy Seal Reg.* xxxviii. 86. [b] *Ib.* 106. [c] *Ib.* 106.

male heirs. So endless, and exorbitant, are the desires of men, that they will grasp at all, and can form no scheme of perfect happiness, with less: The ambition of Murray was, unbounded; his voraciousness was insatiable; and his success, both public, and private, went even beyond his hopes. We have said nothing of the 3000*l.* sterling, which he received of Elizabeth, as his wages, for calumniating his sister, and benefactress, nor of the ecclesiastical revenues, which he enjoyed, in France.

No. X.—*How far Sir William Steuart, the Lion-king-at-arms, was guilty of imagining the Death of the Regent Murray.*

This seems to be a subject, at once interesting, and obscure, which may be somewhat illustrated, but not altogether cleared. He appears to have been an officer, who was regularly bred, in the college of arms. As Albany herald, he was sent, by the Regent, on the 29th of September 1567, on the king's affairs into Norway, Denmark, and Flanders[d]: He was probably sent, to give, and receive, notices, in those countries, about Bothwell. Whatever his business were, he seems to have given satisfaction; as he was soon promoted.

On the 20th of February 1567-8, William Steuart, Ross-herald, received a commission; constituting him lion-king-at-arms, in the room of Sir Robert Forman[e]. On the 22d of the same month, he was inaugurated, in the kirk, after sermon, in the forenoon, in presence of the Regent, and nobility[f]. On the 2d of August 1568, Sir William Steuart, the lion-king, was sent, from Edinburgh to Dunbarton-castle; being suspected of a conspiracy against the Regent's life[g]. On the 19th of August 1568, Sir William Steuart wrote, from Dunbarton, the following letter[h], in justification of his own innocence. Here he remained a twelvemonth, while Murray was in England; but, he was removed to St. Andrews, in August 1569; where he was

[d] He received of the Treasurer, 140 crowns, at 33*s.* a piece, or 231*l.*, for his expenses; as appears by the public accounts. On the 9th of June 1568, Sir William Steuart received, by the Regent's orders, for expenses, disbursed by him, in the king's affairs, in Denmark, 94*l.* [*Id.*]

[e] *Privy Seal Reg.* xxxvii. 45. [f] Birrel's *Diary*, 14. [g] *Ib.* 17.

[h] *Cot. Lib. Calig.* B. ix. fol. 272.

tried, and convicted, and executed, not for imagining the death of the Regent, but for witchcraft, and necromancy[1].

On the 22d of August 1568, Sir David Lindsay, the younger, was inaugurated, as Lion King, in the room of Sir William Stewart. On the 13th of September 1569 however, a grant was issued to Dorothy Crunsie, the relict of the late William Stewart, Lion King, of the escheat of all his property, which fell to the king, by the said William being convicted, and put to death, for *witchcraft* and *necromancy*[k]. He was put to death, then, without being convicted of any offence. He had, however, Lord Fleming, for his lord, and master, which was, no doubt, a crime, in the regent's contemplation. Though he never conspired, nor consented to the Earl of Murray's death; yet, he spoke of his faction, as monstrous, and treasonous. It is upon the whole apparent, that he fell under the axe of a tyranny, which put him to death, not for what he had done, but for what he wished to do. His widow was, probably, protected, by Secretary Maitland, who, perhaps, owed something to the husband, which he now repaid to the widow.

SIR WILLIAM STEWART'S LETTER, from the Cotton Library, *Cal.* B ix. 272, follows:—

My Lord, I dowt not bot the writing send be yow to my gud lord and maister my Lord Flemyng was be the instigation of sum wthir, for I can not think that ye can be sa ingrait as to seik my innocent lyf and bluid considdering that I have sa favorablye and sa oft foirwarned yow of the gret miserie that ye ar lyk to fall in now for not following my consell and admonitions maid oft and in dew tyme. Desist I pray yow to seik fardar my bluid, for as I sall anser to the eternall God I newir conspyrit nor consentit to the Erle of Mirrayes dethe. And giff ye will persist remember of Isopes taill of the Lyoun and the Mouse and turne it wpsyd doun. I feir yow

---

[1] *Hist. of K. James*, 48-66. He was put to death, in August 1569: There is the note of a letter, to this effect, from Lord Hunsdon to Secretary Cecil, dated, at Berwick, on the 30th of August 1569; saying, "Paris was put to death, a fortnight since; and so was Stewart, who was king of Heralds, who had determined, to kill the regent: but, he was forgiven, for that, and was burnt, for conjuration, and witchcraft." Laing's *Dissert. App.* 269. In other words, the prosecutors had no evidence against the Lion King; and, therefore, they charged him with an imaginary crime, for which he was burnt.

[k] *Privy Seal Reg.* vol. xxxviii. fol. 76.

not, nor nane of that monstrus factioun, for as God is the defender of innocentes, sa is he the just and seweir punisher of cruell monsters and tressonable tiranes and wsurpers quha spaires not to execuit al kynd of cruelte wnder the pretext of religioun and justice; For, to accomplisse and performe the wnnaturell ingrait and ambitius disseints [designs] I am innocentle persecutid accusit and detractit: Bot, ther be sum of his awin secreit consell that baith directle and indirectle have socht that bluidy wsurpars lyf quhom I sell name as occasioun sell serve. Be therfoir I pray yow rather ane protectour than ane persecutour of my innocent lyf and advertise me giff it be your gud plesir quhat ar the crymes quherof thai accuiss me, and quhat may mowe thaim thus ernistlie to séek the lyf of sa semple ane creatour quha never to this hour offendit small nor gret, in honour lyf land nor gudes. I pray yow be favourable to the persoun of Kenmore, and with sic as have mellit with my apparell, bowes, and buiks to keip all weill till meting quhilk will be sone God willing, quhom I beseik to keip yow ewin as ye wald I war preservit. From Dumbarten the 19 of August 1568.

be your as occasioun sel be offred,

WILLIAM STEWART.

No. XI.

In Secretary Cecil's letter of the 26th of June 1567, to the Ambassador, Norris, at Paris, Mr. *Robert Stewart* was, emphatically, mentioned, as a person who, might be made privy to Murray's affairs. [*Cabala* 128.] And a question, naturally, arose, who, or what, was Mr. Robert Steward, at Paris.

There is an original letter, in the Cotton Library, *Calig.* C i. f. 122, from Mr. James Gordon, at Paris, 7th July 1568, to the regent Murray, which explains this point: He says, that *Robert Stewart*, the regent's "maist faithful cusing and serviteur," sent him a packet of letters, from *Noyerris*, [Norris, Q. Elizabeth's Ambassador, in France] to be sent to the regent, by a sure bearer; and which, he has delivered to Captain Cogbrun, whose fidelity and affection to the regent's service is sufficiently known. Being requested by *Robert Stewart* to send the regent any intelligence, that he could procure, he informs him that, "he learnt from a person of credit, that queen Mary's deliverance out of England is bought,

and sauld; the means is sent out of France to the Duke of Albe, who causes the Spanish Ambassador, in England, practise with the lords of England, who have taken in hand, to deliver her; but, who those lords were, he did not learn."

This document throws some additional light upon the Steuarts, who performed such infamous deeds, in France, during that age. This *Robert*, I am persuaded, though Henault calls him *James*, was the same person, who pistolled the Constable Montmorency, at the battle of St. Denys; and who, being taken at the battle of Jarnac, in March 1569, was put to death, says Henault, for the murder of Montmorency. We hear no more of this *Robert* Steuart: But, we have seen enough to perceive, that Cecil, and Murray, kept such infamous men, at Paris, for such villanous actions.

No. XII.

At the epoch of the queen's escape, from Lochleven-castle, and repair to Hamilton, on the 4th of May 1567, Doctor Mackenzie, in the Life of Mary, says: "Neither was the press idle; many *satires* being published, by both parties against one another; but, particularly, there was one poem, that made a great noise, entitled, 'The double Dealings of the Rebels in Scotland;' wherein the whole life, and villanies of Murray were laid open; but, who the author was, could not be discovered." The satire itself, he adds, is to be found among Mr. Crawford's collections [in the Advocates' library, at Edinburgh]; but copied, by him, from a transcript, in the Cotton Library, *Calig.* C i. f. 270-1. If it ever were printed, I doubt: If it were, it should seem to me, to have escaped the avidity of the collectors; the then ruling powers having destroyed every copy.

It is now laid before the public, from the abovementioned copy, in the Cotton Library. It is full of historical, and useful truths; and we ought not to be surprised, that it should have made a great impression, when it appeared, whether in manuscript, or in print.

A RYME, in *Defence* of the *Q. of Scots*, against the Earle of Murray.

[ix Decemb. 1568.]

Tom Trouth to the Envious.

If *Momus* children seke to knowe my name, and where I dwell;
I am TOM TROUTH, and my abode I list not it to tell;

For wise men loue not to enquire who, where, but what is said;
And holde themselues therewith content till further proufe be made.

The double Dealinge of the Rebells, in Scotland.

If tongue could tell, or pen could write, the craftie cloaked case,
Or yet the treasons to recyte of this newe Regents grace[l];
Then *Tullie's* stile, or *Virgil's* verse, of God sure would I craue,
His shameles acts here to rehearse, as he deserves to have;
But that were farre aboue my reach, and more than well could be,
Sith he all others doeth excell in craft and crueltye:
Yet can I not with silence passe his vices strange and rare,
But that I must set furth the same, the truthe least I should spare.
And nowe since that it is my luck, unfittest though I be,
This *Caco's* ofspring to advance, as semes to his decree;
I pray you take it in good parte, whats'euer I shall saye,
In setting furth his shameles acts, whose shame shall not decaye;
Yet can I not set furth the same, nor in suchwise expresse,
As fittest were for one past shame, and past all godliness.
This traytour tyrant of our tyme, this Sathan's seed, I meane,
This rebell Regent, that his prince to mate[m] doeth not disdaine;
This perfect patterne of deceipt, whose high and haughtye minde
Is pufte so full of pride, that hard it were, the like to finde:
This sinfull seed of lothsome life, this bastard past all grace,
At[n] *Glocester*, that traytour vile, a perfect paterne chase:
Who, to obteyne that kingly seate of this most worthy land,
His brothers sonnes, his nephewes dere, to guyde they toke in hand:
The lambes, alas! unto the wolfe, to guyde committed were;
Who murdred them, to haue their place, as storyes well declare:
But, shall I say, this traytour nowe, at him did learne his lore;
Who doeth surpasse his wilie wit a thousand folde and more.
A scholler sure, of pregnant wit, and apt for such a place,
Who trayned up was in the schole of lyeing *Sathan's* grace;
Where he hath learnd a finer feate than *Richard* earst did see;
To doe the deede, and laye the blame on them, that blameles be:
For he, and his companions eake, agreeing all in one,
Did kill the kinge, and laye the blame the sakelesse queene upon:

[l] He received that high office, in August 1567. [m] To crush. Shakspeare. [n] Of.

And that this deed, to each man's sight, might seme to be most plaine;
They drewe her from her spouse that night, by craft and subtill trayne,
And fegned that her sucking sonne was in great danger brought;
Wherefore, with speed, to visit him the messenger besought;
Which subtill shift, so feately wrought, was cause men thought it trewe,
That she of purpose parted thence, and of the murder knewe:
For if that both at once had bene there murderd, at that tyme,
Then might each babe, with half an eye, have spyed who did the cryme;
And this suspicion to increase, they found a newe devise,
That *Bothwell*, chiefest murderer, was tryed by assise;
And found not guilty, by his peres, of whome the chiefest be,
Such as the king's death did conspire, and knewe as well as he.
They cleared him eke, by parliamente, O traytour false and vile,
That they their good and vertuous queene might soner so beguyle:
And when that he was cleared both by sise, and parlament,
To marry then they went about to haue her to consent:
They sayd that she, the realme, and they, should so most safest be,
From danger of all civill strife, and outward enemy.
Alack! good Q., what hap hadst thou, so oft thy foes to trust,
Couldst thou not shun these biteing beasts who then had proved unjust?
But, who, I pray you, was the man, they willed her to take?
Forsooth, the chiefest murderer, whom they most clere did make:
And that their purpose, once begun, might come unto an end;
They caused traytour *Ledington* on her still to attend:
That this false Machevilian attempt her euery waye,
Whose poysoned words, so sugered were, that she could not say nay;
But did consent to their request, suspecting nothing lesse,
Than they such false deceipt to meane, and use such doublenesse;
But, when the wofull weding daye was finished and past,
Their boyling malice, that laye hid, in rageing sort out brast:
For they that were of counsell both to murdering of the kinge,
And to the mariage, gan to spread howe *Bothwell* did the thinge;
And howe he took away the Q. by force against her will;
And sought himself to raigne as kinge, and eke the prince to spill[a].
But, (bastard,) nowe the truthe is knowne, how that thyself it was,
That sought to spill both prince and Q., and to possess their place.

[a] To destroy.

But, when amongst the simple sort this rumour once was brought,
It ran abrode, from place to place, more swift than can be thought;
So they not priuy to the sleight did think it for most sure,
That she, to wed the murderer, the murder did procure.
And thus, this simple Q. each way was wrapt in wo and care,
For they that cannot skill of craft are sonest caught in snare.
And then the traytor *Ledington*, in treason neuer slack,
At hand for pickpurse still before began to start now back,
And fled unto her fruyteles foes, her secrets to bewraye:
Like will to like, the proverb saith, You know the old said sawe.
Then *Murray* that, of longe before, this murder did devise,
Did voyd the land, the rather so, to blinde the simples eyes:
And then his fellow-traytors all, the more their cause to clere,
Did rise in armes, against their queen, as though she guilty were:
But she, to saue the saikles blood, not willing to offend,
Did leaue her power, and offred them, all things amisse t'amend.
The traytors, not therewith content, did lead her thence away;
And changed all her braue attyre into a *frock* of grey:
That done, they lead her furth by night unto *Lochleuen* hold;
And kept her there, in prison close, that no man see her could.
Then when they had thus brought to passe their traytorous false desire;
They sent, with speed, to bastard *James*, and willed him to retyre:
Who, coming home, for loue he bare the prince, as he did saye,
Did take in hand to rule the realme, lest it fell in decay.
Howe well this traytor loues the child, committed to his guarde,
Is plaine in that the mother dere he kept in erewel warde;
And caused her there, by forced fact, the present death to shunne,
Her royal crowne for to resigne unto her tender sonne;
And make this minyon *Murray* eake, chiefe *Regent* of the land,
Untill the prince of lawful age the same shall take in hand:
Which while he would, as *Richard* did, if he might haue his will
His nephew younge, his sister's sonne, by secret meanes to spill:
And then he would usurpe the crowne, as next heire to the same;
Which doeth appeare, in that he doeth his father so defame;
And saith his mother precontract was, in most solemne wise,
Unto the kinge, before that he was maried to the *Guise*:

Althoughe that wisemen know the truth, this sorceress how she wrought,
By rings, and witchcraft, from the Q. the king's minde to have brought.
And thus this traytor doeth debase the Q. in all he can;
That from her grace withdrawe he might the hearts of every man.
A cowle, a cowle, for such a Greke, were fitter for to weare,
Than this *Apostat deacon* should such princely rule to beare:
But where is now true discipline, dare no man take in hand,
To teach such false Apostate monks their faults to understand;
And make this base born deacon come home to his former state;
From whence the *Lither Lozell* fled, least he should liue too straight.
But sure no marvell though God's rod hath plagued this noble dame,
That gaue to *monks*, should serue in church, such place of worldly fame.
Yet he not all unmindful of this ladies gratefull deed,
Did purpose, with a cruell death, to quit her for her nede:
But God Almightie, in whose hands the harts of princes be,
Preserue her from this false attempt, and vile captivitye.
And when this noble prey was past this brother's bloudy might,
He rages, like a *Tiger* fell, for sorowe and for spite:
So seeing that he could not then this noble Q. to spill;
Upon her faithful subjects he began to work his will:
For some he cast in prison depe, no cause at all thereto;
And some he thrust out of the realme, to work them greater woe;
And some he put to cruell death, his rage for to fulfill:
No means he left there unattempt her subjects liues to spill:
Yet, not content, in this great rage, on men to play his part;
In spight of God, against his Church, he gan to shewe his art;
And pulled thence both bells and lead, with jewells many one;
That he and his companions might more brauer therein gone.
For sure I am, that some of them, amongst his trayterous trayne,
Haue on their back more lead at once than couereth churches twayne.
So that no hardned hearte of brasse but would lament right sore;
To see prophaneing of each place as serued God of yore.
And when he had this sacriledge comitted euery where,
On loftye towres, and castles stronge, his rage did then appere.
On *Dunbarre* first he spued his spite, a castle fayre and stronge,
And there he wrought both day and night till it was layde alonge:
Then justeth furth, and *Lochinvar*, so semely to the shewe,
He spoyled them first, and sackt them then, who could more cruell doe?

The Lard of *Scirling's* house, likewise, did fele the former chance,
Which trayterouslye he did deface, his glorie to advance.
Then *Roslin Bower*, of braue attyre, which *Saintclere* doth possesse,
Most shamefully he ransackt so, to work him more distresse.
Lord *Herris* lands, that baron bolde, who let[p] him of his will,
When he was gone, throughout the same, he did both rob, and spill.
But, what should I here longer staye eche place here to wryte,
Sith few there are but that his rage hath nowe defaced quite?
When he had wrought his wilfull wit, and had his false intent,
To blinde the eyes of faithfull men, he called a Parliament
Where flockt his fellowe traytors all, both *Morton* and *McGill*,
With *Lindsay*, *Marr*, and *Ledington*, yea *Balfour* laye not still,
With other of this fruyteles flock, and falsely did invent,
That all things there concluded were by full and whole consent.
Thus sinfull *Sathan* workt his will, through these his children dere;
But, falsehood raignes instead of right, as here it doth appere.
Yet, have they not so slilye wrought, though *Sathan* was their guide,
But that their treason, every deale, at last is well espied:
For they, to seme more innocent of this most haynous deed,
Did catch four of the murderers, and put to death with speed:
Whereby they hope to make men think herein that they were clere,
Sith justice they did execute on some that guylty were;
As *Hepburne*, *Dagleish*, *Powry*, too, *John Hay* made up the messe:
Which four, when they were put to death, the treason did confesse:
And said that *Murray*, *Morton*, too, with others of their rowte,
Were guyltye of the murder vile, though now they loke full stoute.
Yet some perchance do think that I speake for affection here;
Though I would so 3000 can herein true witnes beare;
Who present were, as well as I, at th' execution tyme,
And heard how these, in conscience prickt, confessed who did the cryme.
Wherefore all princes take good heed, let this for warning stand,
And trye before you trust, I warne, lest check be nere at hand.
But though his check it semes so sure that mate is now at hand;
Yet may his Q. such gward procure as shall his force withstand,
And then she may, as he began, bid check mate ther menzie[q]
And warne him, since his force is done, to yeld or els to flye.

[p] Hindered. [q] Their followers.

To yeld, I meane, from false attempt, and flye such vaine request;
And gward himself, with reasons rule, and set his heart at rest;
And spend no more his tyme in vaine, such false attempts to trye;
Least if they use them ouer oft he'll clime I feare to highe.
And thus I cease, and make an end, and wish him to beware
No more such checks and tawnts to give, least he be caught in snare.

FINIS Q^d TOM TROUTH.

The foregoing Poem gave rise to inquiries, even, at London, which evince what impressions its truths had made. In the Cotton Library, *Calig.* C i. 296, may be seen the examinations of Thomas Bishop, a profligate dependent of Lennox, in March 1568-9; he being then in the Tower of London.

" These were, for examination of Thomas Bishop, in March 1568, touching a book wrighten against the Earl of Murray, in defence of the Scotts Q., for which he was committed to the Tower."

[The preceding head, which is written at the top, as a kind of title, to the following examination, is in a different hand-writing, from any part of the questions, which is a draught, by *Cecil*, the greater part in his hand-writing.]

What is ye name of ye Bishop of Rosse's Secretary?

At what place, and tyme, and how ofte, and by how many, was report made to you of ye offers made to ye Q. of Scotts's Cõmissioners of ayde frõ Spayne and . . . .

How many, and what are ye names of them, yt wer to your knolledge privie thereof; and who doe you suspect, by conjecture, to be privie therto?

What tyme was ye supper, at ye K. heade, in Flete Strete, when xvj of ye Innes of Court made the L. Herris a supper?

How many doe you know of these xvj; and what are their names, and places of abode?

[How] many copyes have you seene of ye booke?

Who wer they yt made ye book ageynst ye Erle of Murray; and what part did yourself make, or minister, to ye makers?

How many doe you know to have seene yt book; and in whose hand is yt book now remayning, to your knolledge, or as you conjecture?

- - - - - - do you not know y^t^ Christofer Lassels* was a medlar - - - y^t^ buke.

What yong lawyer was he y^t^ was termed Fitzw^ms^ of Grays In?

What he knoweth of any intelligence, or conference, by speche, writing, or message had, by the Quene of Scotts's Commissioners, or any of the Erle of Murray's party, with any of the forayn ambassadors, or with any other strangers, since their last coming into England?

Who were the devisers, makers, wryters, and of counsell with the booke written against the Erle of Murray?

What conference had you with the Bishop of Rosse, and Lord Boyd, or either of them, at Burton?

What dealing had Brẽmychã of Irland w^t^ the B. of Roche, or y^e^ rest?

How often did you resort to y^e^ Bish. in Graciouss Strete before daylight; and to what places went the Bishop, in y^e^ night tyme, to your knolledge?

It did not require those questions, to evince how much Mr. Secretary Cecil protected the Earl of Murray, and indeed every enemy of the Scotish queen. The topics, in the foregoing poem, as they are all historically true, lead to a very different conclusion, from the inquiry of Cecil, and his coadjutors, as to the guilt of Mary, or of Murray: The inferences of the Poem are all true; the conclusions of Cecil are all false.

---

*A gentleman of Yorkshire, who went to Carlisle, in June 1568, to see the Scotish queen; but, was not admitted to her presence, by Scroope and Knollys; who ordered him to be taken into custody, and turned out of the town.

MEMOIR VI.

Memoirs of Secretary Maitland.

ASSOCIATED with the Regent Murray, in similar pursuits of ambition, or interest, upon the same principles of regarding *ends*, more than *means*, was the loud praised Secretary Maitland of Lethington [s].

Sir Richard Maitland of Lethington, by Mary, the daughter of Thomas Cranston of Crosby, had three sons, who are all celebrated, in Scotish history, and four daughters [t].

His eldest son, William, was born about the year 1525; and was, of course, about five years older than the Regent Murray; and was educated, also, at the University of St. Andrews [u]. He travelled into foreign parts, where he studied the civil law, according to the fashion, at the epoch of the revival of letters: Neither the worthy Sir Richard, nor any of his well-informed sons, appear among the officers of state, in 1550 [x]. Engaged, as we have thus seen, by the regent-queen, Maitland was sent, in June 1555, to

[s] He was oftener mentioned, in the State Papers of that age, by the title of *Lethington*, than by the family surname of Maitland.

[t] One of Sir Richard's daughters, Mary, is still remembered, as a writer, and collector of Poetry, and as her father's amanuensis, after he had lost his eyesight.

[u] Mackenzie's *Lives, in Art.*: Yet, he is not mentioned, in the University Record, which was not then very accurately kept.

[x] Crawford's MS. Notes, in my Library. The regent-queen, in 1554, granted to the eldest son, William, a pension of 150*l.* a year. [Treasurer's *Acc.* of Sept. 1555.] Secretary Maitland was, at that period, about 29 years old; and a married man; having espoused, in 1553, Janet, the daughter of Monteith of Kerse. The queen-regent appointed his father, Sir Richard, an extraordinary Lord of Session, in Nov. 1554: Nor, could she have appointed a more honourable, and intelligent man.

negotiate her affairs, with the English Wardens of the Eastern borders: And, he was paid 40*l.* for his expenses [y]. Heriot of Trebroun, who married Maitland's sister, Isabel, was, at the same time, sent to the Western Marches, for a similar purpose of Border quiet. Secretary Maitland is first seen, in the pages of history, in October 1555, disputing about *modes of faith*, with John Knox, who claims the honour of having converted an abler man than himself [z]. If Knox converted Secretary Maitland, from his father's honourable ways, to the odious paths of perfidy, the reformer is not to be much praised, for such a performance.

Maitland, however, continued in the confidence, and service, of the regent-queen, and betrayed her counsels to Elizabeth, and Cecil, as well as to the innovators, and Murray [a]. He was, at length, on the 4th of December 1558, appointed Secretary of State, during his life, in the room of Panter, the bishop of Ross, who died on the 1st of October of the same year. By this appointment, the regent placed a viper in her bosom. With such a Secretary, she could not act, discreetly: With such a Secretary, to betray her secrets, Murray, and his reformers, easily, gained upon her, in every transaction. They thus were enabled, to obtain an ascendency over her power: And they proceeded, in October 1559, to deprive her of the regency, which she had acquired, from the Estates, of Scotland, with the assent of the sovereign [b]. It was, at

---

[y] Treasurer's Accounts of June 1555. [z] Knox's *Hist.* 1732, p. 91.

[a] In February 1557-8, Maitland was sent by the queen-regent on an embassage to London; and received, for his expenses, 600 crowns of the sun, which were equal to 765*l.* [Treasurer's *Acc.* of the 11th February 1557-8.] He enjoyed the most intimate confidence of the regent: On the 5th of February 1558-9, we may see the Treasurer giving 10*l.* to the regent, to play at *the Carts*, with the Earl of Huntley, and young Lethington." [*Acc.* of that date.] Early in March 1558-9, the Secretary was sent to England, and to France, in the queen's affairs: He was paid 765*l.*, for his expenses. [Treasurer's *Acc.* of that date:] And see Keith's *App.* 89. He was, certainly, in France, during April 1559; and brought to Elizabeth, Francis and Mary's ratification of the treaty of Cambray. *Galig. Cot. Lib.* B x. fol. 8.

[b] Keith, 105.

this crisis, that Maitland, the Secretary of State, deserted the regent's service: forgetting her many benefits; and accepted the same appointment, from the Prior, and the insurgents[c], from whom and their protectors he expected greater honours[d]. Such treachery could not be endured, but among reformed men, who sacrificed every principle to their motive, during an immoral age.

In October 1559, Secretary Maitland seems to have given the first specimen of his versatility, by deserting the queen-regent, and joining the insurgents[e]. With them, he continued to act, equally, as Secretary of State. In November 1559, the chiefs of the innovators appointed Maitland to repair to London; in order to lay their distressed affairs before Elizabeth; and to request her effectual aid[f]. Elizabeth, and Cecil, did not hesitate long, in conveying effectual aid to the insurgents[g], in shipping, in men, and money, and, what was of full as much importance, the most insidious advice. At that epoch, Maitland appears to have formed his connexions, with Cecil, and Elizabeth, which induced him, to turn his best services, from his own sovereign, and native land, to an alien queen, and an adverse kingdom[h].

---

[c] Knox, 192; Spottiswoode, 139; Keith's *App.* 42.

[d] In September 1559, Maitland offered his services to Elizabeth; when he said, he attended no longer on the regent, than till he had a good occasion, to revolt to the Protestants. Sadler's *State Letters*, i. 450-1. Robertson, indeed, supposes, that Maitland was afraid of his life, from the regent, and her French counsellors. *Hist.* i. 220. This is said, from Knox, 192.

[e] *Ib.* 48; Knox, 192; Spottiswoode, 139.

[f] Keith, 110: Maitland's letter of credence remains, in the Paper Office, from the Duke, Argyle, Glencairne, and the Prior of St. Andrews. Lyddington, says Cecil, in his *Diary*, [January 1559-60] was at Westminster, to be conferred withall, for Scotish matters. 18th Feb. 1559-60, Lyddington returned into Scotland. [Murdin, 750.]

[g] There seems to have been a treaty on the point. Rym. *Fœd.* xv. 569.

[h] Elizabeth said, in her instructions to Shrewsbury, in April 1583: It is well known, that before the making of the treaty of Edinburgh [June 1560] there was an intent discovered unto us, even by Lethington himself [Maitland]. Whom after-

Returning from his successful negotiation, Maitland now displayed the superiority of his abilities, though not of his zeal, among the reformers. From Scotland, Cecil, who negotiated the treaty of Edinburgh, wrote Elizabeth: "I find the Laird of Lethington disposed to work all the minds of the nobility to allow any thing, that your majesty shall determine: He is of most credit here, for his wit [wisdom], and almost sustaineth the whole burden of *foresight* [i]." Much of the villany, in making the suspected treaty of Edinburgh, as far as it relates to Scotland, must be attributed to him, who thus sustained the whole burden of *foresight* [l].

The reformers, even in opposition to their own treaty, of Edinburgh, convened a parliament, at Edinburgh, on the 1st of August 1560. Huntley, the Chancellor, excused his non-attendance, in that convention, by the convenient infirmity of *a sore leg*. Maitland was now chosen, in his place, as *speaker*. And, on that occasion, he displayed his address, his knavery, and his eloquence [m]. The convention, who expected much more from Elizabeth, than from Mary, resolved to send Glencairn, Morton, and Maitland, to negotiate with the English queen [n]. The Lord James, during 1560 and 1561, acted under Cecil's advice, as the chief of this self-created government, without controul, but with Maitland, for his secretary of state [o]. As a crafty character, Mary knew

---

wards she [Mary] specially favoured, to deprive her of her crown; which motion, we entirely rejected. [*Calig.* C ix. Goodall, i. 170.]

[i] Cecil's unpublished letter of the 19th of June 1560, in the Paper Office.

[l] Besides Maitland's corrupt communication with Secretary Cecil, he constantly kept up a similar correspondence with Lady Cecil. Haynes, 301, 359.

[m] Randolph's letter to Cecil of the 10th August 1560. Robertson's *Hist.* 395-7. Maitland determined, like a man of foresight, not to go to France, with the proceedings of that pretended Parliament, which the Scotish queen very properly refused to ratify; as it sat without her assent, and established measures, which were inconsistent with the laws.

[n] Keith, 154.

[o] Throgmorton, Elizabeth's envoy, at Paris, wrote on the 1st of May 1561, "I

Maitland; but did not put much trust, in such a minister, who, as she was not to learn, had attached himself more to queen Elizabeth, and Lady Cecil, than to her[p].

Acting under all those influences of independence on Mary, and subservience to the English queen, the Lord James concurred with Cecil, and Maitland, and with all these, in wishing to prevent the Scotish queen, from returning to her native kingdom, though the Estates had invited her[q]. It is in vain, then, for Robertson, to doubt, whether those profligate statesmen did not, actually, concert measures, for intercepting Mary's voyage to Scotland[r]. This, then, is the *first* plot, which was concerted, by Elizabeth, and Cecil, against Mary, with the Scotish queen's ministers. Whatever we may think of Maitland's talents, it must be allowed, that much cannot be said for his probity. Mary arrived safe at Leith, notwithstanding those machinations, while the two Secretaries

understand the queen of Scotland hath hitherto no great devotion to Maitland, Grange, and Balnavis; whereof I am nothing sorry." Keith, 164.

[p] When the queen, early in 1561, sent a commission, to govern Scotland, Maitland gained the whole secret, and conveyed it to Cecil.

[q] See Robertson's *Hist. App.* No. V.; see Maitland's Letter to Cecil of the 10th of August 1561; Keith's *App.* 92-4; and his letter of the 15th of the same month, in the Paper Office.

[r] Secretary Maitland, by his unpublished letter, in the Paper Office, of the 15th of August 1561, to Secretary Cecil, very fairly informed the English minister of the embarkation of the Scotish queen, at Calais: "She doth complain, he adds, that the queen's majesty not only hath refused passage to Mons. Doysel, and the safe conduct, which she did, courteously, require for herself; but, also, doth make open declaration, that she [Elizabeth] will not suffer her to come home to her own kingdom: Yet, are her affections such towards her own country, and so great her desire, she hath to see us, that she meaneth not, for that threatening, to stay;—and so, *to trust her person in our hands.* The bearer saith, that she will arrive, before the 26th day of this instant: I mervil, (Maitland subjoins, perfidiously,) that *she will utter any thing to us, which she would have kept close from you.*" After recommending, that a force should be stationed, at Berwick, Maitland goes on, in the same strain of perfidy, "I pray you send me your advice what is best to be done, as well in *the common cause*, as in my particular, who am taken to be a chief meddler, and principal negotiator of all the *practiques* with that realm; though I be not in greatest place, yet is not my danger least."

Cecil, and Maitland, were plotting her interception. She hath been much praised, for putting her government into Protestant hands; but she might, as well, have placed her affairs, in the management of Cecil, and Elizabeth, who influenced her ministers, in all things. Had Mary been intercepted, by the English fleet, she had never returned to her native subjects, who would have been governed, in her name, indeed, by her bastard brother, as vice-king.

The cousin-queens, with such ministers, were now to govern their several kingdoms, as well as the duplicity of the one, and the good-meaning of the other, could agree. Maitland, who had deserted her mother's service, and joined the rebels against the government, was now continued secretary, under his original appointment, by the deluded queen[s]. As early after Mary's return, as the 1st of September 1561, Maitland was sent to Elizabeth, with the unwelcome notification, of the safe arrival of the Scotish queen[t]. In addition to his mistress's instructions, he carried credentials, from the chief nobles, the Duke, Lord James, and the chosen few: They required him, though without fitness, to ask Elizabeth, to declare Mary's right of succession, a request, that they must have known, to be of all others the most offensive to the English queen. He made that requisition; and Elizabeth could scarcely restrain her temper. A sort of altercation ensued; and it required all the art, and volubility, of Maitland, to keep the indignant Elizabeth, within the usual rules of common civility: She did appeal to the world, whether she, in any of her actions, had ever attempted any thing against Mary's safety, or tranquillity, or

[s] Maitland was, incidentally, Clerk of the Privy Council, with John Johnstone, as his deputy, at a salary of 151*l.* a year: On the 1st of March 1563-4, Maitland appointed Alexander Hay, as his deputy-clerk of the Privy Council, to whom the queen assigned the same salary of 150*l.* Keith's *App.* 174. Hay partook of the corruption of his master.

[t] Maitland received, from the Treasurer, 712*l.* 10*s.* to pay the expenses of his journey to London. He returned before the 24th of September 1561.

security of her kingdom: And this appeal was made, in the hearing of Maitland, who had induced her, with the advice of Cecil, to send a fleet into the Forth, and an army into the field, and money into the chest of the insurgents, for transferring Scotland, from the legitimate queen, to her bastard brother. The effrontery of Elizabeth must have proceeded, from a high opinion of herself, or a low opinion of Maitland[u].

He soon after returned to Edinburgh; bringing a letter, from Cecil to Knox, whom the English Secretary used, as a bellows, for blowing the expiring embers of discontent, in Scotland, as men, and matters, waxed cold, or hot. His absence did not impair his credit. The queen's whole power now rested with the Lord James, and Maitland: The first, said Randolph, is suspected, to seek too much his own interest: The other is too politick: And, take me those two out of Scotland, he added, in his letter to Cecil, and those, that love their country, shall find the want of them[x]. Maitland soon after displayed his great abilities, as a statesman, by writing two letters to Cecil; defending Mary's right of succession to the English crown, and apologizing for her non-ratification of the treaty of Edinburgh[y]. The English agent felt, and confessed, his inferiority to Maitland. "He was now borne in hand," he said, "by such as were nearest about the Scotish queen; as the Lord James, and the Lord Lethington, that their queen's good words were meant, as they were spoken: I see above all others," continued he, "in credit; and I find in them no alteration: The Lord James dealeth according to his nature, rudely, homely, and bluntly: The laird of Lethington [Maitland] more delicately, and finely; yet in nothing swerveth from the other, in mind, and effect[z]."

---

[u] Spottiswoode, 179-82. On the 6th of September 1561, Maitland was made one of the Privy Council. Keith, 187.

[x] Keith, 191. [y] Haynes, 373-75.

[z] So wrote Randolph to Cecil, on the 24th of October 1561. Keith, 196. About that time, Lethington was accused, by the Scots, of being ambitious, and too full of polity: Yet, Randolph said, "Whensoever Lethington is taken out of his place,

Secretary Maitland had, scarcely, returned, from London, to Edinburgh, when he found himself engaged in a contest with the clergy. On Alhallowday, the queen went to mass. The preachers were shocked at *her idolatry*. Every pulpit resounded with railing: The nobility were admonished of *their duty;* and strong insinuations given, that the queen's worship ought to be suppressed, by force; without any recollection of the precept, and practice, of the Saviour of mankind, or any remembrance, that the queen had tolerated the worship of others. The preachers, with Knox at their head, were now called before the privy counsellors: Maitland took the lead, in showing the clergy the unfitness of their conduct, and the right of the queen to her own worship, in her own chapel. But, with conceited prejudice, he argued in vain. Knox proposed, that the points in question should be referred to the supreme decision of the Genevan church; and that he would write, for such an unerring judgement: But, Maitland overruled that folly, by engaging himself to consult the oracle: And he afterwards avowed, that he had never written, for such an answer, when Knox attacked him, for his perfidy. The sedition of the preachers was countenanced, by the Lord James, and Cecil; as they hoped to gain what the queen might lose, by their seditious speeches. At the church assembly of December 1561, Maitland again opposed the pretensions of the preachers: Like a true statesman, acting upon right principles, he insisted, that conventions of the church could only be held by the queen's allowance: On the contrary, the preachers, whose principles led them to disregard ancient law, and established authority, insisted, they must have an independent right, to hold such assemblies; otherwise, they could not be a reformed church. Connived at, as they

---

they shall not find, among themselves, so fit a man to serve, in this realm." Keith, 202. Randolph soon after said to Cecil: "The bishops complain, that the Lord James beareth too much rule; and that *Lethington* had a *crafty head*, and a *fell tongue*." *Ib.* 205. *Fell* means, generally, cruel, barbarous, inhuman; but, it is here used, by Randolph, to signify able, eloquent, artful, sly.

were, by the Lord James, the queen's minister, Maitland's opposition, merely, showed his own principles, and their pretensions. Maitland scoffed at Knox's book of discipline, which had been introduced into the assembly. The chief of the reformers attacked Maitland, in his turn: And this attack, and those scofferies, were carried on, with great acrimony, and were long continued [a]. We may thus learn, from Knox's epistle, to Cecil, how much that statesman influenced Scottish matters, for Elizabeth's interest, and Mary's annoyance.

After all that altercation, Secretary Maitland was appointed, in November 1561, an extraordinary lord of session: And, in January 1565-6, was, by the recommendation of the same court, named an ordinary lord, which he seemed to have retained, during his fortunes, and misfortunes.

Much of the year 1562 was spent, in argument, and in journeys, about the ill-omened meeting of the rival queens. Maitland went to London, by his mistress's desire, in May; and returned in June of the same year, with little success [b]. During the autumn of 1562, the Scotish secretary accompanied the queen upon her northern tour, when Huntley was ruined, for Murray's interest.

---

[a] Knox's *Hist.* 293-5. Knox made a sort of an appeal to Cecil: By his letter of the 7th of October, Knox wrote, among other complaints: "This I write with dolor of hart: Some of no small estimation have said, with open mouth, The queen neither is, nor shall be, of our opinion; and in very deed, her whole proceedings do declare, that the cardinal's lessons are so deeply printed in her heart, that the substance, and the quality, are like to perish together. I would be glad to be deceived; but, I fear, I shall not: In communication with her, I espied such craft, as I have not found in such an age: Since, hath the court been dead to me, and I to it. One thing I cannot conceal; too much bearing is like to break the most strong back, if we cast not off the burden betimes. To speak plainly; those that have always had the favour, and estimation of the most godlie, begin to come into contempt; because, they open not themselves more stoutly against impiety. Doubt not but that your counsel may somewhat reward the persons. Ye know, my lord, and Lethington, whom, if God do not otherwise conduct, they are like to lose that, which, not without travel, hath heretofore been conquest." Haynes, 372.

[b] *Ib.* 379; Keith, 216-17; *App.* 156.

On this odious subject, Lethington wrote to Cecil, the English minister: "I am sorry, that the soil of my native country did ever produce so unnatural a subject as the Earl of Huntley hath proved, in the end, against his sovereign; being a princess so gentle, and benign, and whose behaviour hath been always such towards all her subjects, that wonder it is, that any could be found so ungracious, as once to think evil against her; and, *in my conscience, I know not, that any just occasion of grudge was ever offered unto him*[c]." If we could believe the secretary to be sincere, in what he thus declares on his conscience, it would evince uncommon duplicity in the Lord James, who concealed, from the other ministers, that he had obtained, in January 1561-2, a grant of the earldom of Murray; and who was so blinded by gross prejudice, as not to see what provocations forced Huntley into rebellion against *so benign a princess*, as Mary, or rather of so corrupt a minister, as Murray. Maitland was soon after sent into England; partly to congratulate Elizabeth, on her recovery from the small-pox, still more to watch over the queen's pretensions to the succession, in the subsequent parliament; and above all, to endeavour the reconcilement of the troubles of France[d]. He did not travel into this country, with good-will, as he had heard of the frequent assassinations, in that distracted land: His zeal, for the queen's service, however, appears to have braved the hazard of such scenes. He is blamed, at least by Knox, as being too good a servant to the queen; and we may indeed learn from Randolph, that Maitland's advice was then more followed, than any others, as well it might, from the superiority of his talents[e]. Happy! had it been for himself, and his country, had he, from that period, attached himself to the queen, and the laws, without regarding the connexions of faction, or considering the interested

[c] See his letter of the 14th November 1562, in Keith, 232. When we hear an enemy talk, in such a manner, to an enemy, we may well believe, that the queen's conduct had been fair.

[d] Keith, 235.

[e] Knox, 327-34; Randolph's unpublished letters, in the Paper Office.

objects of so dangerous a friend, as Cecil. Maitland returned to Scotland, soon after the rising of the Parliament, on the 4th of June 1563, which forfeited Huntley, and his friends[f]. The credit of Maitland, at that period, obtained attentions to his aged father, and benefited the fortunes of his whole family[g]. At the end of 1563, the Scotish secretary made a vigorous effort, to make the church subordinate to the state, rather than allow the state to continue subservient to the church. Knox, the chief of the domineering preachers, had committed two crimes of great atrocity, in the eyes of such a statesman, as the Secretary: By his own authority, Knox had convoked a meeting of the people, which was an act of treason; he had collected the multitude to overawe the criminal court, which was to try two of his disciples, for insurrection. On those charges, Secretary Maitland summoned Knox before the Privy Council, when he pressed the enormity of the offences, with his usual art, and eloquence. Yet, did the Privy Council, which was influenced, by Murray, declare, "that they could find no offence in Knox[h]." None of the parties seem to have recollected, that the Saviour of mankind, while upon earth, never impugned the established authority of the Roman law. The preachers were, by this declaration, only incited to rail, with more virulence, against the queen, and her ministers: Maitland, finding it impossible, to check this pruriency of preaching, which was protected, by Murray, and even incited by Cecil, for their own objects, "left the ministers," as he said, "to *bark* as lowd, and as long as they list[i]." The ministers of the Scotican church continued *to bark*, till the court of session, in more recent times, avowed its

[f] *Parl. Rec.* 754; Keith, 240. [g] *Ib.* 244. [h] Knox's *Hist.* 336-43.

[i] Knox, 346: Yet, Maitland seems to have again attempted, in the church-assembly of June 1564, to moderate Knox, who, feeling none of the influences of *charity*, was only irritated, by opposition. Knox, 348-66. On the 27th of February 1563-4, Randolph wrote to Cecil, "of some unkindness, between the queen, and Murray, *about Knox*, whose part he took." Keith, 249.

purpose, to punish the parsons, for barking calumny against any one, which could only do mischief, without any good.

Many of the measures, in 1563, proceeded, from the various suitors of the Scotish queen. The marriage of Mary, from the delight, which Elizabeth took, in embarrassing a rival queen, on so envious a subject, continued to create many measures, and to originate much intrigue, wherein Secretary Maitland had his full share[k]. Murray and Maitland were afterwards appointed to meet Bedford, and Randolph, at Berwick, to negotiate the marriage of the Lord Robert Dudley, with the Scotish queen. It was, on that occasion, that Randolph, who did not want talents, lamented to Cecil his own defects, as a negotiator, when opposed to so very able a statesman, as Maitland. It may admit of a doubt, whether the best of the Flemish masters, could have delineated such a treaty; when the puritanic Bedford, and the roguish Randolph, the artful Murray, and the ingenious Maitland, assembled, to negotiate the marriage of Dudley, whom the one queen did not mean to give, and the other queen had determined not to receive[l]. When Elizabeth offered Dudley, her own *sweetheart*, to Mary, as a husband, duplicity, in the one queen, and disdain, in the other, could not be carried further by any artifice.

The failure of this perfidious treaty, introduced new characters on the stage. Lady Lennox, the niece of Henry VIII., had some pretensions to his crown, which the Scotish queen had an interest to remove. The Earl of Lennox had been forfeited, by the Scotish parliament, and now desired to be restored to his country. And they both wished, to present their eldest surviving son, the Lord Darnley, to the wishful eyes of the Scotish queen[m]. Mait-

[k] Randolph wrote to Cecil, on the 27th of February 1563-4: "He found Murray, and Maitland, willing to the match, [with the Lord Robert Dudley, Elizabeth's favourite]; but, they entertained doubts of effecting it; and wished him, to deal openly with the queen, about the person." [Keith, 249.] Dudley, it seems, had not yet been avowed.

[l] See Keith, 263.

[m] Randolph wrote Cecil, in October 1564: "The queen undertakes to end the

land now promoted the interest of this family, which afterwards ruined him. The Parliament of December 1564, was chiefly called; in order to reverse the attainder of Lennox: Maitland made an oration to the Estates; being commanded, by the queen, to supply the chancellor's place: And, on the same day, Lennox's forfeiture was reversed[n]. The speech of Maitland, on that occasion, for its topics, and eloquence, would do honour to any chancellor of England. After dandling Dudley before the disdainful eyes of Mary, Elizabeth found a properer puppet, in Darnley. At the solicitation of his mother, Elizabeth allowed her son, to repair to the court of Mary, early in February 1564-5: Both Dudley, and Cecil, knowing the secret of Elizabeth, solicited Darnley's passport to Scotland. Before the end of March, Mary, having resolved to marry Darnley, determined to send Secretary Maitland, to communicate her secret purpose to Elizabeth[o]. He arrived at court, with that purpose, on the 18th of April 1565. From the epoch of that avowal, every practice was used, by Elizabeth, which the wisdom of her counsellors could advise, to disappoint the fond pair of their wished-for happiness: Intrigue, and

quarrel, between the Duke and the Earl of Lennox, whose name Lethington [Maitland] is now supposed to favour, for the love he beareth to Mary Fleming: Seton, and Lethington, are become enemies, in the cause of Douglas." Keith, 259. Randolph again wrote to Cecil, on the 3d of November 1564, that, the queen maketh no word of Darnley; yet, many suppose it concluded, in her heart; and that Maitland is, wholly, bent that way." *Id.*

[n] Robertson's *App.* No. ix; Keith's *App.* 158. The Countess of Lennox sent, by Melvill, a watch set with diamonds, and rubies, to Secretary Maitland. Melvill's *Mem.* 52.

[o] After informing Cecil, how Bothwell had threatened Murray, and Maitland, Randolph wrote the English secretary, on the 7th of April 1565, that Maitland is in readiness to depart for England. On the 14th of April, he set out from Berwick for London. Randolph accompanied Maitland to Berwick; whence he wrote to Cecil, "that Maitland now partook of the griefs, at the prospect of the queen's marriage with Darnley." [Unpublished dispatch, in the Paper Office.] One would suppose, from a comparison of the whole context of the State Papers, that Secretary Maitland had been already gained, by the English government, to mis-serve his mistress.

declarations, denunciation, and recal, threats, and tumult, privy conspiracy, and rebellion, were all tried, on that envious occasion[p]. Maitland returned to Edinburgh, on the 13th of May, in company with Throgmorton, who was sent, to promote all those views of Elizabeth. Meantime, Mary seems to have suspected, that her Secretary Maitland was not altogether to be trusted[q]. He was, however, present in council at Stirling, on the 15th of May, when the queen received Throgmorton[r]; and the convention of nobles advised Mary's marriage. Maitland continued, about the queen, as secretary of state, "merely for the need of her service, rather than for any trust she had in him[s]." But, such was the profligacy of the moment, and of the men, that it was not easy to know, whom she could trust; when we see her chancellor, and her secretary, plotting with her rebels, and corresponding with her enemies[t]. What a picture of profligacy does Randolph paint to Cecil! The queen, meantime, by the force of her popularity, expelled the rebels, though she had Morton, for her general. The Duke, the Earl of Murray, with their deluded followers, on the 5th of September, retreated, to Dumfries, where they were allowed, for some weeks, to loiter[u]. In the midst of all that degeneracy, Mait-

---

[p] Cecil's *Diary*, in Murdin.

[q] Randolph, in writing to Cecil, on the 3d of May 1565, said: "Lord Ruthven, Maitland's chief friend, is wholly *theirs* [the queen and Darnley]. Maitland is suspected to favour the queen, and Darnley, more than he would seem; and yet, *he is not trusted by them:* Lennox being in great want of money, borrowed 500 crowns, from Maitland." [An unpublished dispatch in the Paper Office.]

[r] Keith, 277.

[s] Tlius, wrote Randolph to Cecil, on the 3d of July 1565, Keith, 288.

[t] Randolph, in an unpublished dispatch to Cecil, of the 12th of October, says: "Some wise men are enemies to this government [the queen's]: *Maitland* is as far, in this matter [Murray's rebellion] as any other; of the same bond, and league, are the Earl of Morton [the chancellor] and Lord Ruthven; they only espye their times, and make fair weather, untill it come to the pinch." [MSS. in the Paper Office.]

[u] See Cecil's *Diary*, in Murdin, 760: 5th of September, the lords of Scotland came to Dumfries; 24th of September, a consultation, at Windsor, whether the lords of Scotland, being expelled, by the Scots queen, should be aided; on the 10th

land, constantly, attended the Privy Council, in July, August, and September, October, November, and December, when measures were taken against his associate rebels[x]; giving misadvice to Mary, and true advice to Murray.

After all the perturbations of 1565, a year of privy conspiracy, and restless rebellion, Mary, with her husband, lived awhile quiet, whilst Murray was suffering penance, in England, and Lethington *was making love*, at Edinburgh.

The year 1566 opened, with the practices of perfidy, which were still more atrocious, than had yet occurred. Darnley, the simple, was taught to distrust, and to disquiet the queen: Like an infant in the nursery, he whimpered, for a bauble, which is known, in the Scotish story of that age, by the name of *the crown matrimonial*, and which she had given him, on their wedding-day, though he was unconscious, that it adorned his brow[y]. Murray was, by any means, to be restored, from exile, while he was threatened, with Parliamentary forfeiture. A formal contract was now made, between Darnley, and the exiled nobles; he engaged, on his part, to procure their restoration; and they stipulated, on theirs, to support his claim to the *government, without the queen*[z]: Such were his,

---

October, I was sent to Nonsuch to confer with the Earl of Arundel, concerning *the proceeding against the queen of Scots. Ib.* All those consultations ended in this: Elizabeth obliged Murray, on his knees, to acknowledge before the ambassadors of France, and Spain, that she had never incited his rebellion; that she had never aided him; that she had never countenanced him. What baseness in him! What duplicity in her!

[x] Keith, 309-20; *App.* 106-7: And yet, Randolph wrote to Cecil, on the 31st of October: "My old friend Lethington [Maitland] hath leisure to make love; and in the end, I believe, as wise as he is, will show himself a very fool, or stark staring mad." [*MS. Dispatch*, in the Paper Office.] It is not always easy to follow the dark insinuations of the artful Randolph to the prescient Cecil!

[y] He was acknowledged, and treated as king, and his name was inserted with the queen's, in formal proceedings: He was king, by the courtesy; as in elder times, the husband of a countess was acknowledged, as an earl: Such was the *matrimonial crown:* And those, who murdered Darnley, were held to have committed *treason.*

[z] See the documents, in Goodall, i. 227-31; Keith's *App.* 120-1.

and their, notions of the *crown matrimonial*, to consummate which went to dethrone the queen, who was the real sovereign, while Darnley was only king by the courtesy.

In order to consummate all those objects, the friends of Murray, Morton, Maitland, the Secretary, Lord Ruthven, and other conspirators agreed, to assassinate Rizzio, the queen's French Secretary, within the palace, for the obvious purpose of dissolving the Parliament, and distracting the government. The part assigned to Secretary Maitland, was to keep the queen ignorant of so odious a purpose, and to entertain Athol, in the palace, while the murder was done[a]. The 9th of March 1565-6 was the treasonous day, when this aggravated assassination was committed, by the matrimonial king, assisted by the Chancellor, Morton, and by Secretary Maitland, and by the other conspirators, in the queen's closet; she being present, in a pregnant state. The crime, which was thus committed, was an aggravated murder, as to Rizzio; but it was an atrocious treason, as concerning the queen[b]. Secretary Maitland now lost his office, of which, from his perfidious conduct, he had long been unworthy: Sir James Melvill, who had equal perfidy, but not equal talents, succeeded him, as Secretary[c]. The conspi-

[a] Goodall, i. 269, from Calderwood: But, two of the Secretary's servants were present, at Rizzio's murder.

[b] A forcible attack upon the sovereign's palace, the sovereign being therein, was an act of high treason, by the Scotish law: In this case, the Chancellor led the attack, and the Secretary, by conniving, at this horrible crime, was equally guilty of high treason.

[c] Melvill, *Mem.* 67, says, "He served, in place of Secretary at home, when Lethington was absent, *under some suspicion*. What history! In the Act of Privy Council of the 19th of March, for prosecuting the many persons, who were concerned, in that treasonous murder, Maitland was not present." Keith's *App.* 130-1. On the 4th of April 1566, Bedford wrote to Cecil: "Lethington despairs of pardon, and must fly into England." *Ib.* 168. On the 25th of the same month, it was said, "Lethington has liberty to live in Flanders." Lethington now applied, for protection, to Randolph, the corrupt agent of Elizabeth. On the 2d of May, Randolph wrote to Cecil: "Lethington's friends intercede for him, that he may not be banished: *The queen is more his friend, than Darnley.*" Lethington was thereupon ordered to reside, in Cathness. Yet, he himself desired to leave Scotland. Keith's *App.* 169.

rators were now obliged to take the place of Murray, who returned amid this perturbation. While this cloud lowered on so many guilty persons, Maitland concealed himself, within the fastnesses of his father's territories, in Lauderdale. He had many friends, who solicited, for his restoration; Randolph, Murray, and above all, Athol, who maintained his interests against Bothwell. During the first week of August, while Mary enjoyed the refreshing air of Alloa, after the birth of James, she agreed, with her usual grace, to see, and restore Maitland [d].

This singular statesman appears thus, after such treasonous misconduct, to have regained his lands, his offices, and, perhaps, as much confidence, as he had ever enjoyed. He attended the queen to the assizes, at Jedburgh, where the queen's anxieties had nearly proved fatal to her life. We see him busy, on that sad occasion, dispatching the several letters [e]. While he thus acted, Darnley, amidst his discontents, with himself, and others, endeavoured to remove Maitland, and other considerable men, from the queen's government [f]. This absurd pretension of a prince, who presumed to think, that he could rule, in such a country, amidst such men, by offence, rather than softness, cost him his life.

The queen, after a short excursion along the Tweed, attended by her court, returned to Craigmillar-castle, near Edinburgh, on the 20th of November 1566. Longer the nobles could not live, without a plot. It was observed, by men of such discernment, as Maitland, and Murray, that Darnley did not visit the queen,

[d] Keith, 334: In the same month of August, Murray, and Bothwell, were at *evil words*, before the queen, for the Lord of Lethington. Robertson's *Hist.* 435; *App.* No. xvii. The contest was, about the lands of the Abbey of Hadington, which had been given to Lethington, and which Bothwell wished to reclaim. *Ib.*

[e] Keith, 347-52; *App.* 133.

[f] There is a letter of Robert Melvill, the queen's ambassador, at London, to the queen's resident, at Paris, dated the 22d October 1566, wherein he says: "Darnley was dissatisfied; because he could not get the Secretary [Maitland], the Justice Clerk, and the Clerk Register, put out of their offices." Keith, 351.

though he knew of her illness, at Jedburgh: It was known to every one, that he had not one friend, in Scotland, except his father, if he might be called his friend, who indulged, rather than corrected, such wayward humours, in his son: And upon those observations, Maitland, and Murray, conceived the design of divorcing the queen, from Darnley, in order to induce her to pardon Morton, and the other assassins of Rizzio. Early in December, Maitland, and Murray, made a formal proposal, first to Argyle, Huntley, and Bothwell; and immediately after to the queen, of divorcing her from Darnley; on condition of pardoning Rizzio's murderers. Maitland was obviously the author of this project; and was certainly, on that occasion, the speaker, who made that dangerous proposal to the queen, in the presence of Murray, Argyle, Huntley, and Bothwell. If the queen had agreed to this project, the purpose of Maitland, and Murray, seems to have been, to obtain such divorce, by act of Parliament, and, perhaps, take his life, by attainder, in Parliament. Bothwell entered into this measure, with so much alacrity, that he seems to have been, previously, acquainted with the whole design[g]. It was the opinion of Huntley, and Argyle, who were present, at that transaction, that Maitland, and Murray, founded on the queen's refusal of a divorce an ulterior project of depriving Darnley of his life, by the hand of Bothwell[h]. This was the deliberate judgement of the

[g] Anderson's *Col.* iv. 188; Keith's *App.* 136: Spottiswoode accuses Maitland of fostering the queen's disgust against Darnley; of projecting a divorce between them, before the queen went to Jedburgh, and of reviving this project, after her return. *Hist.* 196.

[h] Goodall, ii. 320. Buchanan, in his "Chamelion," charges Maitland with such a design. He was afterward attainted, by Parliament, as being guilty of devising the king's death. The minor conspirators confessed, at their execution, that they understood, the whole lords, who had been, on that occasion, with the queen, at Craigmillar, had agreed to the commission of that odious deed. Arnot's *Crim. Trials*, 384; Anderson's *Col.* ii. 177-8. Bothwell, and Maitland, hated each other. In April 1566, the Earl of Bothwell's servants confessed, that Secretary Maitland had engaged them, to murder their master. Keith's *App.* 167. In the subsequent August, Murray, and Bothwell, had an altercation, in the queen's presence, about Maitland's

convention of nobles, with Archbishop Hamilton, at their head, which met, at Dunbarton, on the 15th of September 1568: "But, seeing," say those nobles, "that her grace, with the pleasure of God, did escape their hands, and relieve herself, from prison, [at the murder of Rizzio, March 1566] wherethrough that the doers thereof [Morton, and Ruthven] were banished, for their enterprize, and also hearing of the young behaviour, through foolish counsel, of her said husband, they [Maitland, and Murray] caused make offers to our said sovereign lady, if her grace would give remission to them, that were banished, at that time, to find causes of divorce, either for consanguinity, in respect [as] they alledged the dispensation was not published, or else for adultery; or then, to get him convicted of treason, because he consented to her grace's retention in ward; [the queen's imprisonment, in her palace;] or what other ways to dispatch him; [Darnley:] So that it may be, clearly, considered, and is a sufficient presumption, in those respects, her grace having the commodiousness to find the means to be separated: and yet, would not consent thereto, to appear, that her grace would never have consented to his murder, having such other likely means, to have been made quit of him, [Darnley,] by the lords own device; but, that it may be inferred, that they were the doers thereof only; [the murderers of Darnley;] as was deponed by those, who suffered death therefore; who declared, at all times, the queen, our sovereign, to be innocent thereof[1]." Such, then, are the facts, as they were stated, by a contemporary convention of nobles, some of whom were actors, in the

lands. Robertson's *Hist. App.* No. xvii. About that time, Bothwell opposed the restoration of Maitland, though indeed without success. Keith, 334. Bothwell thought to have slain Lethington [Maitland] in the queen's chamber, had not her majesty come betwixt. Melvill's *Mem.* 80. Nearer *dagger's-drawing*, such statesmen could not well be, during an irascible age.

[1] See the whole document, in Goodall, ii. *App.* No. 119, from Q. Mary's *Reg.* The facts, which are stated, in those instructions of so many prelates, and nobles, are so very important, that it was thought fit, not to embarrass the reader with obsolete orthography.

very scene. It was a refinement altogether worthy of such an age, and of such men, to wreak their vengeance on two obnoxious characters [Darnley, and Bothwell] by making the one hated person assassinate the other.

Maitland continued to act, as Secretary of State, both to the queen, and Murray, during very difficult times. That he knew of the purpose to destroy Darnley, without revealing the design, is certain. From the epoch of the plot, at Michaelmas 1566, that he carried on a correspondence, by Murray's direction, with Morton, whose pardon was the great object, is, also, certain; as we know from his letters, which remain, as of record against him. Morton was pardoned, by the queen, at Christmas 1566. Morton arrived, at Whittingham, between the 15th and 20th of January 1566-7. To this place of convenient intrigue, Maitland conducted Bothwell, on a visit to Morton, soon after his arrival there, from England. We know this important fact, from Drury's correspondence with Cecil, as well as, from Archibald Douglas's letter to the queen. The object of this meeting with Morton, we, also, know, was *to concert the murder of Darnley;* as we learn, as well from Morton's confession on the block, as from Douglas's letter, who was present, at Whittingham. In that concert, it is apparent, that Maitland took a very active part: And, taking such a part, in such a conspiracy, the Secretary incurred, thereby, the guilt of treason.

From what passed, during that concert, Maitland knew, that Bothwell did not possess any written documents, which could satisfy Morton of the queen's desire, with regard to her husband. From the epoch of that concert, however, Maitland appears, to have strengthened Bothwell's hands, in effecting the great object of that conspiracy. Darnley was assassinated, by the conspirators, on the 10th of February 1566-7.

When Murray retired, amidst those guilty scenes, from Edinburgh to Paris, Maitland, and Morton, were left by him, his political agents. A few days after, when Bothwell was tried, for

that murder, Morton, and Maitland, obtained his acquittal, by their agency: Maitland, particularly, baffled Elizabeth's application, for delaying the trial of Bothwell. Maitland was one of the queen's commissioners, for opening the Parliament of April 1567; and he was one of the few, who were chosen on the Committee of Articles[k].

When the Parliament rose, Morton, and Maitland, obtained a declaration of several peers, and prelates, declaring the innocence of Bothwell, and recommending him, as the fittest husband, for the queen. The guilt of such measures, and of such a declaration, need not be mentioned. Bothwell was thus incited, by the criminal conduct, of Morton, and Maitland, to seize the queen, by an armed force; and, by it, to carry her to his castle of Dunbar. Bothwell, thus, by coercion, obtained the guilty object of Morton, and Maitland, in obliging the queen, to consent to marry him. Maitland proceeded one step further, in obtaining that guilty object: He followed the queen, as Secretary of State, to Dunbar-Castle, not to give her good advice; but, to encourage her, to agree to marry the ravisher, as her most salutary step. Secretary Maitland, continuing his villanous career, after betraying the queen, by so many criminal artifices, into the ruffian's arms, charged the queen with the murder of her husband; as she had married Bothwell, whose marriage contract he signed[l].

The queen's marriage with Bothwell was scarcely consummated, in pursuance of all those artifices, and violence, of Maitland, and Morton, than these two agents of Murray began to intrigue against the queen, and to treat Bothwell, as a *scapegoat*. Maitland sat, on the 22d of May, in the queen's council, as Secretary of State, seven days after her marriage with Bothwell[m]. And it

---

[k] *Parl. Rec.* 749-50: When there were so many ratifications passed, by that Parliament, his aged father obtained a ratification of the barony of Blyth. [*Id.*] But, the Secretary had himself no ratification of any thing. [*Id.*; Keith, 379.]

[l] Keith, 379-83-5; Melvill, *Mem.* 80; Goodall, ii. 61.

[m] Keith, 387.

is important to remark, that Maitland attended on his unfortunate mistress, as Secretary, on the 15th of June, when she relinquished Bothwell, on Carberry-hills, and, joining the insurgents, was carried captive into Edinburgh. Maitland, according to his practice, attended the queen, on those occasions, in order to betray her. On the 16th of June 1567, she was committed prisoner to Lochleven-castle; when Maitland joined the insurgents, as Secretary of State.

A loud outcry was now raised, from feelings, which were more feigned, than felt: No one cared for Darnley: But, the moment, that the queen committed herself, by marrying Bothwell, the public indignation broke out, with great violence. Murray, and his two agents, Morton, and Maitland, had at length gained their great object; as that indignation was now turned upon the queen, from the real murderers of the king, Murray, Maitland, and Morton. Elizabeth, and Cecil, gave notoriety to all those events, in France, and Spain, while the real murderers were concealed, from the eyes of the world.

Cecil knew, from Murray, as he passed through London, on his way to Paris, what would happen, in Scotland. The insurgents, with Maitland for their Secretary of State, corresponded with Murray, through the friendly hands of Cecil: As soon as Maitland learned, that Cecil approved of the present insurrection, the insurgent Secretary began to correspond with Elizabeth's Secretary, whose protection was of infinite importance to the insurgent nobles[n]. Maitland, as Secretary of State, for the insurgent nobles,

[n] Maitland's letter to Cecil, from Edinburgh, on the 1st of July 1567, at night; in the Paper Office.

Sir,

Having conferred with Mr. Melvill, since his return, I perceive as well the continuance of your constant friendship towards me, in particular, as *your allowance of this* common quarrel, enterprized by a good number of our noblemen, for the recovery of the honour of this country almost lost, for that shameful murder, in the same committed, and not punished; for which, your good disposition, I pray God, and do most heartily thank you. I do also understand by his report, that the queen's

went forward to Fast-castle, to meet Throgmorton, who was sent, from Elizabeth, to intrigue among those nobles, for her own interest. Maitland managed this intrigue, on the side of the nobles, throughout Throgmorton's whole negotiation, in July 1567. He represented Maitland, as the only one of any eminence, in Scotland, who wished to restore the queen, on condition of punishing Darnley's murderers, of a divorce from Bothwell, and of security for religion. "God knows," Throgmorton exclaimed, "he is fortified, with very slender company, in this opinion [o]." Maitland, also, managed Throgmorton's intrigue, *for sending the prince into England*, which disclosed Elizabeth's cloven foot [p]. Maitland concurred, with Throgmorton's insidious advice to Mary, for resigning her crown, on the pretence, that a resignation, during imprisonment, could not be lawful [q]. This did not prevent Maitland, from attending, at Stirling, as Secretary, during the coronation of the queen's infant son, on the 29th of July 1567 [r]. Maitland, immediately, joined Murray, at Whittingham, before the regent arrived, at Edinburgh, on the 11th of August; and was present, as Secretary, when that artful statesman, formally, accepted, on the 22d of the same month, the predestined regency [s]. He still continued to negotiate with Throgmorton, under Murray's government; and to find argument, and eloquence, equipollent to the crafty wisdom of that very sufficient statesman [t]. It was in the midst of those conversations, with Throgmorton, that Maitland disclosed to him the ulterior charges, which the revolted nobles meant, to make against their imprisoned queen. As early as the 25th of July 1567,

---

majesty, your mistress, is most gently inclined, to allow of the justice of our cause, and by her countenance to advance the same, which doing I am sure her maj. shall never have occasion to repent herself: For, as the matter is, in itself, *godly*, and worthy to be well taken of all Christian princes; so, I trust, her maj. shall find, hereafter, these nobles, not unmindful of that comfort whatsoever they shall receive, at her highness's hands, to the furtherance thereof.

[o] Robertson's *Hist. App.* No. xxii; Keith, 420-1. [p] Keith, 422.

[q] Melvill's *Mem.* 85; Goodall, ii. 166-344. [r] Keith, 437. [s] *Ib.* 452.

[t] *Ib.* 457-8.

they disclosed, to him, their design of accusing the queen of *tyranny*, of *incontinency*, of the *murder of her husband*; whereof, as Maitland said, they had apparent proof; as well, by witnesses, as by her *hand-writing*, which they had recovered[u]. Such were the charges, and the proofs, which Maitland communicated, who is supposed, to have contrived the whole charge against the queen: He is, particularly, charged, on *apparent proof*, with being the forger of the suppositious letters of Mary, which now began to be whispered, privately, rather than disclosed publicly. Those letters were first relied on, as evidence, in the *Secret Council* of the 4th of December 1567, when the revolted nobles thought it necessary to prepare, for the approaching Parliament, sufficient motives, to justify their revolt, their imprisonment of the queen, and their seizing her government. Maitland sat in this Secret Council; and it was his duty, as Secretary, to see, that the Act of Privy Council was fitly drawn: *And*, as Secretary he must have seen those letters, and described them, from inspection, as written, and *subscribed*, by the queen. It is unnecessary to remark, how many of the Privy Counsellors, who now accused the queen of the murder of her husband, were afterwards convicted themselves of that odious deed: One of these was Secretary Maitland, who was undoubtedly guilty. When the Parliament met in December, it was equally the duty of the Secretary to exhibit those proofs of the queen's guilt: He went into the Committee of Articles, without the queen's letters; but they did not now appear the same; being only written by her, and not subscribed[x]: But they were not produced in Parliament. Among the million of guilty acts of Maitland's life, the charging the queen with murder, and bringing forward such fictitious letters, as proofs of a crime, whereof he was himself, attainted, by subsequent Parliaments, is the most hideous.

In the meantime, the Secretary's father, Sir Richard Maitland,

---

[u] Throgmorton's letter, *Cot. Lib. Cal.* C. i.; and Goodall, ii. 61.

[x] See the Statute Book; Goodall, ii. 67; Anderson's *Col.*

at the age of seventy-two, resigned, on the 20th April 1567, the *Privy Seal*, to his second son, John, the Commendator of Coldingham. This venerable man, who lived to ninety-two, appears to have been deeply affected, by the sad scenes of violence, and tergiversation, which had been long acted before his disgusted eyes. And, he gave vent to his feelings, in his *Satire on the Age*, and in other poems, which paint in true, rather than brilliant colours "the oppression of the commons[y]." The good old man bestowed on his son, who was certainly as accomplished, as he was knavish, much salutary advice, which, it had been happy for his fame, his fortune, and his country, had he as sincerely followed, as his father had affectionately given.

The conspiracy, for dethroning the Scotish queen, and crowning her infant son, may claim Secretary Maitland, for its contriver. The escape of Mary, from Lochleven-castle, on the 2d of May 1568, gave rise to many events, in the annals of Scotland, and in the life of Maitland. He fought against his indulgent mistress, at the battle of Langside, on the 13th of the same month, the loss of which obliged her to seek a fatal refuge in England[z]. The Secretary, with his brother John, the Privy Seal, were two of the Commissioners, for opening the Parliament of July 1568[a]. He sat in that Parliament, when many of Mary's friends, who had fought for her, at Langside, were forfeited[b].

The distresses of Mary, and the artifices of Elizabeth, produced the project of an inquiry, in England, as to the recent events, which had ended, with the expulsion of the Scotish queen. That such an inquiry, conducted, as it must have been, by the genius of Cecil, must, necessarily, end in the disappointment of the Scotish queen, and in the disgrace of her opponents, was quite apparent. The Regent, the Chancellor, Morton, and others of less note, were appointed Commissioners, to manage the inquiry, on behalf of the infant king against his mother: The Regent Murray seems to

[y] See his Poems throughout. [z] Keith, 481. [a] *Parl. Rec.* 805. [b] *Ib.* 806-7.

have been somewhat puzzled, whether to leave Secretary Maitland, in Scotland, or to carry him, with the Commissioners, to the inquiry at York. In this choice of difficulties, Murray chose to carry Maitland with them, as an Assistant Commissioner[c]. The Commissioners of Elizabeth, of Mary, and of the infant king, at length assembled at York, on the 4th of October 1568. The oaths being taken by all parties to act, honestly, proceeded to the business of the inquiry, by the exhibition of their several commissions.

While the English Commissioners were thus occupied, though they had taken the oath of fidelity, which required fair dealing, on the proposal of Murray, they allowed his assistants, at the head of whom was Maitland, to lay before them, privately, the whole proofs, forged, and unforged, against the Scotish queen, which the English Commissioners abstracted, and sent to Elizabeth. Of the unfairness of this, little need be here said[d]. Norfolk was afterwards charged with perjury; as he had acted against his oath of honesty. In this manner, then, was an attempt made, thus covertly, to convict the Scotish queen of the murder of her husband[e].

Elizabeth, suspecting some secret movements, at York, removed the inquiry, from thence, to Westminster. Maitland, and M^cGill, were directed to repair to court, for managing the renewed inquiry, on the regent's side. On the 25th of November, the inquiry was renewed, at Westminster. On the morrow, by the management of Cecil, Murray was induced, contrary to his engagement with

---

[c] Spottiswoode, 218; Goodall, ii. 109. It should seem, that Maitland had long opposed the sending of any Commissioners, as unfit, both for the country, and the queen. He is said to have been induced to accompany Murray, "by large promises of rewards." On the 18th of September 1568, the day, on which the Commissioners were appointed, the Treasurer, by the Regent's order, paid 200*l.* to Secretary Maitland, who was going to England, with his grace. [Treasurer's *Acc.* of that date.]

[d] Sadler's *State Papers*.

[e] That disgraceful transaction is recorded in the *Cot. Lib. Calig.* C i. f. 198; and was transcribed into Anderson's *Col.* ii. 58; and Goodall, ii. 140-1.

Norfolk, to charge the queen with the murder of her husband, which he undertook to prove[f]. It did not require the reproaches of Maitland, to make Murray feel the compunction of breach of trust. Yet, after the conference had been suspended, another agreement was entered into, between the duke, and the regent, which had, for its end, a marriage, between Norfolk and the Scotish queen. In this well-meaning, but imprudent measure, Maitland had his full share[g]. And though Mary, and Norfolk, never saw one another; yet, did they carry this intercourse the full length of virtual betrothment. On the 18th of January 1568-9, after Elizabeth had obtained her object, by a formal charge against the Scotish queen of an odious crime, Murray, and his associates, set out, for Scotland.

As Mary was thus charged, with her husband's murder, on very doubtful proofs, she now returned the charge on her guilty accusers. In her instructions to her Commissioners, at York, she had pointed, at Maitland, without naming him, as the forger of the letters, which had been mentioned as hers, before the Privy Council, and Parliament, of Scotland[h]. Without knowing what documents had been produced, at Westminster, against her, she earnestly asked for a sight of them, or copies; engaging to prove their falsehood: But, though this request was allowed to be just, it was always denied; as Cecil, and Elizabeth, knew that Murray's proofs could not bear examination. She undertook, if these copies were given her, to prove Murray, at least his principal associates, on that occasion, guilty of the murder of her husband: Cecil, and Elizabeth, knew that she pointed at Maitland, and Morton, as the most guilty persons; and they feared, that themselves might be implicated, in the result of such recrimina-

[f] Goodall, ii. 192-206; Melvill's *Mem.* 96-7.

[g] Tytler, ii. 209-10; Robertson, i. 300; Melvill's *Mem.* 98-9.

[h] In the Act of Parliament, forfeiting Bothwell, there was a clause, mentioning Huntley, and Secretary Maitland, that was abstracted, when sent to England, as proof. *Acta Parl.* iii. 8, the clause, within the hooks [ ].

tions[i]. They closed this scandalous inquiry, for ever, though they affected only to adjourn it. Their sole object had been, from the beginning, merely, to disgrace the Scotish queen, by means of Murray's calumniations; and they obtained their odious end, but with their own shame, Murray's dishonour, and Maitland's ruin.

The Scotish Commissioners returned to Scotland, on the 2d of February 1568-9[k]. We have seen the intrigues with Norfolk begin, at York; they were continued throughout the whole course of the inquiry, at Westminster, and Hampton-court; and they were continued, after the inquiry closed, and the Commissioners had separated never to meet again. Mary, and Norfolk, talked in vain of a marriage, while her previous marriage, with Bothwell, which had been so reprobated, remained undissolved. The intrigue as it was now continued, during summer 1569, naturally, assumed two points; to gain Murray's consent to the proposed marriage of Mary with Norfolk; and above all, to obtain a parliamentary divorce, from the expatriated Bothwell, which, we might suppose, would have been readily granted, as the separation of Mary, from Bothwell, was one of the avowed principles of the revolt, which ended in the queen's dethronement[l].

---

[i] See Goodall, ii. 807-12. Soon after her arrival, at Carlisle, Mary had informed Lord Scrope, and Sir F. Knollys, as we have seen, that Maitland, and Morton, were participant in her husband's murder, however they affected then to prosecute others, for their own crime: This information Scrope, and Knollys, had conveyed to Elizabeth, by their letter, from Carlisle, of the 29th of May 1568. See it in Goodall, ii. 69.

[k] *Privy Seal Reg.* xxxviii. 25.

[l] On the 1st of June 1569, Norfolk wrote Murray, in cypher, urging him to assent to the marriage. Cecil's *Journal*, in Murdin, 767. On the 1st of July, Norfolk, and Throgmorton, wrote both to Maitland, and to Murray, on the subject of Mary's marriage with Norfolk; and Lord Boyd was made the bearer. *Id.*; Spottiswoode, 230; and Robertson, i. 303. On the 3d of July, Maitland wrote to Throgmorton, on the same subject. *Id.* On the 20th of July 1569, Throgmorton wrote to Maitland, in answer. Robertson's *App.* vol. i. No. xxxii. They had even obtained, from Bothwell, powers, enabling Lord Boyd, to assent, for him, to any proceeding, for his divorce, from the queen. [The Kilmarnock *Archives.*]

While all these hopes of success, and happiness, were indulged, a pretty numerous convention of prelates, and nobles, was assembled, at Perth, on the 25th of July 1569, for the purpose of discussing Elizabeth's proposals, with regard to Mary [m]. Throgmorton, and Maitland, now expected that Murray would, at this convention, carry through the divorce of Mary, from Bothwell; and that Maitland would be sent into England, to negotiate the marriage of Mary with Norfolk. It is astonishing, that two such profound statesmen, as Throgmorton, and Maitland, could, for a moment, suppose, that Elizabeth would allow the Duke of Norfolk to marry the Scotish queen. They had been deluded, egregiously, and by none more than by Murray: He had acted, deceptiously, throughout: And, he now induced the convention, to disapprove of divorcing the unfortunate queen. The leaders of this convention, with Lord Chancellor Morton, at their head, the very men, who had revolted, with the declared design, of separating Mary from Bothwell, now refused their consent, for that end; and the only reason, which Murray, and his faction, assigned, for breaking their engagement to the queen, when she joined them on Carberry-hill, was, that, she refused to be separated, from Bothwell, after she had, in fact, separated herself, from him. But, they all acted, under the artifices of Cecil, in obedience to Elizabeth's wishes, and in still greater subservience to their own interests.

Disappointed in all his hopes, and disgusted, at Murray's perfidy, Maitland retired, from the convention, with his powerful friend, the Earl of Athol: And Murray returned to Stirling [n]. Here,

[m] *Cabala*, 155: For the names of the persons, who attended that convention, see a very rare 4to pamphlet, being a collection from the records of the three *Bands*, p. 12-15.

[n] Cecil wrote to the ambassador, Norris, at Paris, on the 3d of August 1569:—"The 25th of last month, the Earl of Murray began a convention, at St. Johnstown [Perth]; and meaneth to send us, as I think, the Lord Ledington [Maitland] hither, with his mind, concerning the queen of Scots." *Cabala*, 155. On the 13th of August, Cecil again wrote to Norris: "The convention of St. Johnstown was

then, was the crisis, whence those two associates, in roguery, Murray, and Maitland, separated, for ever. Murray was, equally, disgusted with Maitland, for projecting the restoration of Mary; and having shown his own duplicity, he dreaded Maitland's power of mischief. The regent would have impeached the Secretary, in the late convention; but, he feared his many friends, and he knew, that the Atholmen, at the command of their Earl, could have surrounded the convention of Perth, at an hour's notice. Murray now resolved to crush Maitland, at a blow [o]. But, it was necessary to calm the ruffled spirits of Maitland, before he could get him within his fangs: And he wrote him several friendly letters, from Stirling; requesting his presence, in council, there; to settle a dispatch for England. Maitland, and Athol, were thus induced, to attend the Council, at Stirling: But, they had no sooner entered the council-chamber, than the notorious Thomas Crawford entered with an accusation of Maitland, as a participant, in the murder of Darnley [p]. Maitland offered security, to answer the charge; but, the predetermined Council voted his immediate im-

dissolved about the 2d of this month; and on Wednesday last, came hither one Alexander Hume, from the Regent, with letters; declaring that he had an universal obedience, in Scotland; and that the States, there, would not consent to any thing, concerning the queen of Scots's restitution, by any manner of degree; wherewith, her majesty is not well pleased; because she hath a disposition to have her [the Scotish queen] out of the realm, with some tolerable conditions, to avoid peril, which is a matter very hard, at least to me, to compass." *Cabala*, 155-6. There is no end to the *oracles* of this *Nostradamus!* Why did not they tell the Scotish queen to quit the English kingdom?

[o] It is curious to remark, that the despicable farrago of falsehood, called Paris's confession, which was drawn up, by Buchanan, and Wood, under Murray's eye, on the 10th of August 1569, mentions Maitland, and Sir James Balfour, as privy to Darnley's murder. Anderson's *Col.* ii.; Goodall, i. 148. Throughout the plots, for the murder of Darnley, and the dethronement of Mary, Maitland acted, under Murray, as his master: Yet, in the logick of some, Maitland was guilty, and Murray was innocent!

[p] Crawford was a retainer of Lennox; was mentioned in the fabricated letters, as a confident of Darnley; and was carried to London, for the odious purpose of testifying, *what he did not know to be true*. Goodall, i. 53.

prisonment: And Murray, thereupon, committed this famous Secretary to Stirling-castle. On the same night, the Regent caused Sir James Balfour to be arrested, upon the same charge. Murray, with his usual duplicity, protested, that Maitland was accused, and Balfour arrested, *against his will;* and that the Council was so *banded* against both, that it was not, in his power, to save them from prison. Kirkcaldy, the gallant governor of Edinburgh-castle, hearing of those arrests, sent a message, to the Regent, demanding that, the like justice should be done upon the Earl of *Morton*, and Archibald *Douglas*[q]. We thus see, that the Regent knew, that Maitland, and Balfour, were guilty: Kirkcaldy knew, that Morton, and his relation Archibald Douglas, were also guilty: And, we shall perceive, in our progress, that the whole four were positively guilty[r].

The Regent appointed the trial of Maitland, on the 24th of November 1569. Athol meantime retired into the fastnesses of his alpine country. Murray conveyed Maitland, from Stirling to Edinburgh, where he was lodged in a house near the castle, under an appropriate guard[s]. Kirkcaldy, the governor of Edinburgh-castle, hearing that Maitland was to be sent to Tamtallon-castle, and knowing that, his destruction was predetermined, resolved to rescue him: and, pretending a warrant, from the Regent, he easily

[q] Melvill's *Mem.* 100.

[r] For all those curious intimations, see Melvill's *Mem.* 100; Spottiswoode, 231-2; and the contemporary *History of King James VI.* 69-70; Goodall, i. 397: In the Cotton Library there is a letter, from Maitland, 30th of October 1569, to one of his friends; requesting him, to appear, at Edinburgh, on the trial of the charge brought against Maitland, for being concerned in the murder of Darnley. *Calig.* C i. 346.

[s] Melvill, who then enjoyed the regent's confidence, says, that the reason, for lodging Maitland so near the castle, was, to decoy the governor, from his castle, on the morrow, under the pretence of receiving Maitland into his safe custody; and, if he should come out, the regent meant to detain him, till he should surrender the castle to a different keeper: And, Melvill also relates, that Morton had appointed four assassins, to slay Kirkcaldy, at the entry of the regent's lodging, without his knowledge, indeed: But, as Kirkcaldy distrusted the regent, he avoided the snare. Melvill's *Mem.* 101.

imposed upon Maitland's guard, and carried him, triumphantly, into the castle[t]. To be thus circumvented, by a blunt soldier, who was not famous for his guile, sunk deep into the regent's heart[u]. He dissembled, however, his disappointment; and, with his accustomed artifice, endeavoured to decoy the governor, from his castle: But, Kirkcaldy had now seen so much of Murray's perfidy, that his distrust was quite awake to the regent's wiles[x]. And, so anxious was Murray to regain Maitland, that he went himself into the castle: "For he durst trust Kirkcaldy; though Kirkcaldy would not trust Murray[y]. The regent now employed all the artifices of dissimulation in vain[z]: Kirkcaldy refused to deliver Maitland; but promised to bring him into court, on the day of trial[a]. This respectable soldier continued to resist every device, which subtilty could suggest, for inducing him to betray the Secretary into the regent's hands. Sir James Melvill, who would also be a statesman, proposed to the regent, to allow Maitland to go into voluntary exile; giving security, that he would return, and his son, for a hostage. But, the regent had views, which he did not open to the well-meaning Melvill[b]. The same statesman also interposed, in favour of Balfour, who had already gained the goodwill of the regent's favourites, by means of money, that had been properly bestowed: And, Balfour even advised Maitland, to use similar means, promising equal success: But, the Secretary knew too well his own importance, to expect his safety, from such mean men[c].

Meantime, Cecil had early suspected the intercourse of Nor-

---

[t] Melvill's *Mem.* 100-1; Spottiswoode, 232.

[u] "I know," says Melvill, "that the carrying of Maitland to the castle sunk deepest into the regent's heart." *Mem.* 102.

[x] *Id.*

[y] Spottiswoode, 232; Melvill, 101.

[z] *Ib.* 102.

[a] Spottiswoode, 232.

[b] *Mem.* 102.

[c] Melvill, *Mem.* 101-2. Melvill intimates, that the wicked society, which surrounded the regent, hated Maitland; because he, as well as Kirkcaldy, despised their selfishness, and detested their rapacity; and because his talents were so superior to theirs. *Id.*

folk, with the Scotish queen; and had carefully counteracted their measures[d]. Murray, and Maitland, were both implicated in those intrigues. Murray, on that occasion, opened his bosom to Cecil; and tried to make others equally loquacious. Robertson, the historical apologist of Murray, declares that, "He deceived, and betrayed Norfolk, with a baseness, unworthy of a man of honour[e]." He not only acted basely himself, but endeavourred to make others act, with the same baseness: He practised his arts on Maitland, in vain: The fear of death did not induce Maitland to reveal what he knew of Norfolk's conduct[f]. He even denied, that he had ever mentioned such a marriage to the duke, in direct terms[g]. Murray at length held a convention, to inquire into Maitland's guilt; and to support his proceedings, he stationed Morton, with three thousand men, at Dalkeith[h]. Kirkcaldy, in pursuance of his promise, now appeared before the regent, and said he was ready to pro-

---

[d] Cecil's *Diary*, Murdin, 767-8. On the 21st of September 1569, George Carey was sent post to the Earl of Murray, to understand his doings in the marriage. *Id.* The Duke of Norfolk was brought to Windsor, in charge of Edward Fitzgarret. On the 5th of October, the abbot of Dunfermling came from the Earl of Murray, with advertisement of his knowledge of the Duke of Norfolk. On the 9th of October, Norfolk was sent to the Tower. *Id.*

[e] *Hist. Scot.* i. 533.

[f] There is, in the Paper Office, an unpublished letter from Murray to Cecil, of the 9th of October 1569, wherein he says: "This my letter is formed upon the very words, and device, of the Lord of Lethington [Maitland]: Howbeit, to be plain with you, he has flatly denied to me, in any sort, to be an accuser of the Duke of Norfolk; thinking he shall escape from these storms." He accuses Maitland of corresponding with Cecil, though he had promised, that he would not.

[g] In another unpublished letter, in the Paper Office, Murray wrote to Cecil, on the 7th of November: "He had again questioned Lethington on the project of the marriage: But, he constantly affirms, that there was never any mention of the said marriage, betwixt the duke and him, in plain, and direct words, neither in privy conference, nor by letters, whatsomever he might otherwise of himself, and the proceedings there, collect in his own mind." He offers, that as soon as he shall have an end in the matter, that he is charged with here, he will, gladly, go into England, and answer before the queen [Elizabeth].

[h] *The Hist. of K. James VI.* 76.

duce Maitland in judgement, if there were any one present, to accuse him. None appeared: and Maitland's brother protested thereupon, that the Secretary was entitled to his liberty; since no one appeared to accuse him[i]: Murray now gave up the present pursuit of Maitland, by adjourning the trial, on pretence, that the convention, which he had called, for his accusation, had only convened to prevent a failure of justice[k]. A shot, from the vengeance of the injured Hamilton, soon after sent Murray, to answer untimely, for the various villanies of his artful life[l].

The moment that Cecil heard of the death of Murray, he sent off the notorious Randolph to Scotland, and the Bishop of Ross, as a prisoner, to the Bishop of London[m]. Maitland took that occasion, to write Cecil; urging him, to use his influence, for reconciling the parties, which distracted Scotland[n]. Strange, that so acute a statesman, as Maitland, did not see, through the disguises of Cecil, that his artifices aimed, only, at distracting the country of his hate. But, Maitland was still uncleared of the foul charge of Darnley's death. Morton himself undertook this ungracious task, though he knew Maitland's guilt. A convention of those, "who hated the queen, and her cause," was assembled, at Edinburgh, for that end. On the 14th of February 1570, it was urged, for Maitland, that though he had been accused of Darnley's murder; yet, that was not the true reason, which had moved the late regent, to detain him. Each member being now asked, if he knew his guilt, made answer, that he esteemed him innocent; and acknowledged him, to have been an useful instrument, *in furthering God's glory, and the common good*[o]. This declaration was signed, by Morton, and twenty-one other counsellors of Murray, and by

---

[i] *The Hist. of K. James VI.* 70.

[k] See Murray's speech, from Calderwood's *MS. Hist.* in Goodall, i. 397-8.

[l] That memorable event happened, on the 23d of January 1569-70. Birrel's *Diary*; and Burleigh's *Journal.* [m] Murdin, 769. [n] Haynes, 575.

[o] Contemporary *Hist. of K. James VI.* 81; and the Act of Privy Council. in Goodall, i. 398-9.

Athol, the constant friend of Maitland[p]. The exculpated Secretary now resumed his appropriate office; and Kirkcaldy was freed from the charge of restraining the liberty of the friend, whom he had saved, by his spirit.

Maitland now made use of his freedom, to reconcile parties, by promoting quiet. He endeavoured to concert a meeting of the nobles of both parties, at Edinburgh, on the 4th of March 1570: But, his success was not equal to his intentions, amidst such contrarieties, which were promoted by Cecil's wiles. He wrote soon after to Leicester; urging him, to promote, in Elizabeth's mind, mutual reconcilement, rather than avowed hostilities[q]. Maitland gained many friends to this salutary principle; among whom were Kirkcaldy, who held Edinburgh-castle; Hume, a powerful baron, on the borders; and Athol, who repented, that he had ever drawn his sword against the queen. He tried to collect the queen's friends together: Some of those friends, on the 18th of April 1570, held a conference with Morton; in order to settle the country, by some agreement: But, that interested chief could not be brought, to approve of reconcilement, knowing that, the English army was about to enter Scotland; in order to chastise the queen's friends. Kirkcaldy, meantime, liberated from the castle, Lord Seaton, Lord Herries, and the Duke of Chattelherault[r]. But, entreaties were of little avail, in stopping the advance of the English army; since there was no force, to oppose them. Maitland, and Kirkcaldy, remonstrated, in vain. Sussex, who commanded the invading army, demanded, that the friends of the Scotish queen should disavow their proceedings, at Linlithgow[s]. The English army conducted the Earl of Lennox, who was destined, to be the new regent, to Edinburgh, on the 13th of May 1570, whence they de-

---

[p] See the list, in the contemporary *Hist. of K. James VI.* 81-2.

[q] Robertson's *Hist. App.* No. 1. On the 15th of March, the Earl of Sussex, as lieutenant of the North, went, northward, to make preparations, for war. Murdin, 769.

[r] Bannatyne's *Journal*, ii.; *Cabala*, 162-3.

[s] Spottiswoode, 239-40.

parted, for Glasgow, on the 16th[t]. On the same day, Foster, the captain of Warke-castle, made an inroad into Lauderdale, and ravaging the estate of old Sir Richard Maitland, carried off whatever could be moved. The venerable knight was thus injured; because he was the father of the renowned Secretary; and he felt it the more, as he considered it as done, in time of peace[u]. This invasion was an act, altogether worthy of Cecil's malignity, and Elizabeth's baseness.

Maitland now found it necessary, to look, for shelter, in the recesses of Athol, where he remained, during the summer[x]. He wrote the Bishop of Ross, who then lay at Chatsworth, to know, if he might come into England, on his former footing. But, the bishop was told, by Leicester, Elizabeth's favourite, "that she will no ways have you come, as one of the commissioners; because she is yet offended with you[y]."

By the influence of Elizabeth, and the direction of Cecil, the Earl of Lennox was chosen Regent of Scotland, on the 17th of July 1570[z]. Randolph, the experienced agent of Elizabeth, began now to exert his usual artifices. And, he tried his unprincipled arts, to detach Maitland, and Kirkcaldy, from Mary's friends, by acknowledging the king's regent[a]. But, they knew

---

[t] Bannatyne's *Journal*, 16-17.

[u] See Maitland's *Poems*, ii. 305: Sir Richard soon resumed his good humour, which enabled him to write some verses, which he called, "The blind Baron's comfort." [x] Bannatyne's *Journal*, 22, who is studious to insult the Secretary.

[y] Robertson's *App.* No. iii: Lesley's letter is curious: "Your answers to the Englishmen are thought very good; but, you will do well to keep out of their hands: I am sorry, you cannot come, for the great relief, I hoped to have had, by your presence; for you could well have handled the queen of England, after her humour, as you were wont to do." *Id.* [z] *Cot. Lib. Calig.* C ii. 271.

[a] On that occasion, Randolph wrote Maitland, and Kirkcaldy, a letter, which is preserved, in Strype's *Annals*, ii. *App.* No. ix; and which is extremely curious, both for its topics, and style. "As for conscience; he reasons, she is not worthy to live whose cause ye defend, having committed so horrible an offence: Ergo, no conscience, by order, to put her down: And less, not to obey her; least to obey her unjust quarrel. This you know yourselves: This you have spoken yourselves: This you have

each other's principles, and practices; and Randolph reasoned, and threatened, in vain. This corrupt agent now advised the regent to irritate Kirkcaldy, by all manner of slights, to himself, and to his dependents[b].

The chiefs of the queen's party, with Maitland, at the head of them, soon after, held a council, during several days, at Blair of Athol[c]. The Secretary, though afflicted with the gout, was the soul of all those consults. He prevailed so far with the courts of France, and Spain, feeble as they were, as to engage Elizabeth to enter into a new negotiation with the Scotish queen. And he laboured, successfully, for an abstinence from hostilities, for two months, commencing from the 3d of September[d]. In violation of this truce the regent made an attack on Maitland, by citing him to appear before the council; and on his failing to appear, the regent proclaimed him a rebel, and deprived him of the office of Secretary. His office was conferred on Pitcairn, the commendator of Dunfermlin. A party of soldiers was, soon after sent, by the regent Lennox, to take possession of the castle of Lethington, and to lay waste the estates of the venerable Sir Richard, as well as

---

allowed yourselves. Yourselves wrote against her, fought against her; and were the chiefest cause of her apprehension, and imprisonment, and dimission of the crown; *with somewhat more, that we might say, if it were not to grieve you too much herein.* [He means their participation, in Darnley's murder:] But, plainness argueth friendship; and so do, I trust, yee tak it.—So that you two were the chief occasions of all the calamities, as she hath said, that she is fallen into: You, Lord of Liddington, by your persuasion, and counsel, to apprehend her, to imprison her; yea, to have taken presently the life from her: And you, Lord of Grange, by your solicitation, travel, and labour, to bring in others, to allow thereof; and to put in execution that, which by the other, you Lord of Liddington was devised."—It is very horrid to hear this corrupt agent, talk in this manner, who was participant, in every crime, which had disgraced Scotland, from the interception of Mary, till the murder of Darnley.

[b] Melvill's *Mem.* 108.

[c] Bannatyne's *Journal*, 37-8, which contains the names of the persons, forming that convention.

[d] See the terms of it, in Spottiswoode, 243. It was continued, by several renewals, till the 1st of April 1571.

those of his son, the Secretary. Complaint was made of this breach of the abstinence from warfare, to the Earl of Sussex, Elizabeth's lieutenant, in the North[e]. The regent answered, that Maitland being the king's subject, who had submitted to the royal authority, could not claim the benefit of the truce. But, of the Scotish nobles, in that corrupt age, it cannot be said, in Milton's language, "that they were burdened, with the debt immense of endless gratitude." Maitland had performed the part of Chancellor, in that Parliament, which restored the titles, the estates, the blood, of Lennox, for whom he made an admirable oration: And he had afterwards lent him money, as we have already seen. Maitland now avowed, that he would not acknowledge the regent; and that he was on the side of those, that would perform their duties to the queen of Scots, and her infant son. In this reciprocation of *words*, which, as Shakspeare says, "if they help nothing else; yet, do they ease the heart," Lennox replied that, it was no wonder Maitland should not acknowledge him, as regent; since he had been accused of the foul murder of his son Darnley; that though he had declined, contrary to his engagement, from the king's party, he must still be subject to accusations against him, in the king's name: And as it was not the English queen's object, to protect any one under the late abstinence, who was supposed to be guilty of the late king's murder, he who had been charged therewith, during the late regent's time, ought not now to complain of a breach of truce[f]. Lennox seems to have been now acting under Randolph's advice, *to vex* his opponents, as if any thing were to be gained, by the irritation of such a man, at such a moment. In answer to some proposal of Sussex, respecting the intended treaty, the regent professed to give no molestation to the Commissioners, on the queen's part, in their journey, provided their names, and the number of their train, might be notified;

[e] Spottiswoode, 244; *Contemp. Hist. of James VI.* 108-9; and Dalyell's *Illustrations of the Scotish Hist.*, 520.

[f] Spottiswoode, 244.

otherwise some that were guilty of the murders of the late king, and regent, might steal away among them [g]. This seems to have been intended, as a bar to Maitland, who was thus pressed on a delicate point, by the imprudence, or enmity, of Lennox, who, if he had pressed Bothwell, when that guilty noble stood at the bar of the Justiciary Court, might have prevented much mischief, and many crimes.

In contemplation, however, of such a treaty, Maitland arrived from Athol, in Edinburgh-castle, though oppressed by the gout, in April 1571 [h]. In the night of the 14th of April, Captain Melvill seems to have come, from the castle, to the printing-house of Robert Leckprevick, who printed the *Cameleon*, Buchanan's well-known libel against the Secretary's tergiversation: Buchanan, in his zeal, forgot, that he himself was a *Cameleon*; that too many, in Scotland, were but *Cameleons* of the worst kind: But, Leckprevick, and his libel, appear to have found refuge, in some safer place [i]. On the 14th of May, the queen's party held a Parliament, in its usual place, the Tolbooth of Edinburgh; while the regent held a Parliament of the king's party, in the suburb of the same city, called *the Canongate*. Neither of these Parliaments can boast of their *abstinences*. In the regent's Parliament, which was urged by the vigour, or enmity, of Morton, the Chancellor was, plainly, the least moderate, in its legislation. Maitland, and his two brothers, and three of the Hamiltons, were attainted of treason. The crime of Maitland was specified to be, "the foreknowledge, and counsel, of the murder of the late king [j]." The same nobles, Morton, Mar, and others, we may observe, who now attainted Maitland of the king's murder, had all concurred, in signing a declaration, on the 14th of February 1570, of Maitland's innocence of the same crime [k]. By what evidence, they were in-

[g] Spottiswoode, 246. [h] Bannatyne's *Journal*, 130. [i] *Ib.* 130-1.

[j] Bannatyne's *Journal*, 154; Spottiswoode, 253. These attainders were ratified, in the following Parliament, at Stirling, the 28th August 1571. *Acta Parl.* iii. 58-9.

[k] *Contemp. Hist. K. James VI.* 81-2; Spottiswoode, 253.

duced to change their former opinions, and to declare him innocent, does not appear. In this manner, then, was this able man found guilty of the treasonous murder of the late king, which he had undoubtedly suggested, and promoted; and was punished, for his guilt, as well as, for his duplicity, and tergiversation. After Morton had become regent, Maitland, in December 1572, wrote a letter to the Laird of Carmichael, for the inspection of his master, Morton; reminding him of the old friendship, between them, and of the many services, which Maitland had done to Morton; and accusing the regent of having been the chief procurer of his pretended forfeiture, for a crime, wherein he knew, in his conscience, Maitland *was as innocent as himself.* To these several charges, and insinuations, Morton answered, as follows: "That I knew him, as innocent as myself, the contrary thereof is true: for, I was, and am innocent thereof; but, cannot affirm the same of him; *considering what I understand, in that matter, of his own confession of before to myself*[l]." It was but a sorry sight, to see two assassins, the one the Secretary, the other the Chancellor, of Scotland; accusing each other of such a crime, as the king's murder. Maitland was thus attainted; and appears to have confessed the crime, in his moments of confidence, to the Chancellor: Morton was afterward convicted, and on the block of shame, confessed the same crime: It was a grievous aggravation of their guilt, that they endeavoured, by falsification, and by perjury, to fix the same offence on their sovereign, whom they betrayed, and whom they knew to be innocent: But, it was some extenuation of Maitland's guilt, that he had endeavoured to prevent Murray's accusation of the queen before Elizabeth; and to restore her to her rights.

But, new changes were at hand. Lennox was killed, at Stirling, on the 4th of September: And, on the 5th, the Earl of Mar was chosen regent in his room[m]. On the 7th, a writing, from a Par-

[l] Those two very instructive letters of Maitland, and Morton, are preserved, and published, in Dalyell's *Illustrations of Scots Hist.* 474-5; 480-1.

[m] Bannatyne's *Journal*, 255-6; *Acta Parl.* iii. 65.

liament of the king's friends, at Stirling, was sent to the queen's party, within the town, and castle, of Edinburgh, with some intimations of reconcilement [n]. On the 8th of October, Elizabeth's answer, to the writing, which had been sent her, by Maitland, and Kirkcaldy, was delivered to them [o]. Two days after, they sent her a replication; so ready were the head, and hand, of Maitland [p]. The same messenger soon returned, from Berwick; and delivered to those within Edinburgh-castle, Maitland, and Kirkcaldy, Elizabeth's conditions, which they had already contemned [q].

The storm, which had cast down the house of Norfolk, in 1571, and which, in its effects, involved the fortunes of the queen of Scots, continued to be felt, in Scotland, at the beginning of the subsequent year [r]. The Regent, Earl of Mar, was willing to promote the quiet of his country, whatever might be wished, by Cecil, or desired, by Elizabeth: But, he was, constantly, thwarted by Morton, who was promoting the objects of Cecil, while he sought his own [s]. At the end of July 1572, the regent agreed to an *abstinence*, for two months, commencing from the 1st of August; in order to negotiate the pacification of those civil broils, which had so long harassed a distracted country [t]. Meanwhile, arrived, at

[n] Bannatyne's *Journal*, 263-6. That writing was chiefly addressed to Maitland, who was known to be the soul of the queen's party.

[o] Robertson's *App.* ii. No. iv. [p] Bannatyne, 272-3. [q] *Ib.* 275-6.

[r] Murdin, 771-2.

[s] The regent had been induced to appoint Morton the king's lieutenant, in the South; and, of course, Morton commanded the whole of the hostilities against all those, who held the castle, within, as well as, their connexions, without.

[t] *Cot. Lib. Calig.* C iii. 325-33: As this abstinence was contrary to Morton's wishes, it was soon violated; and Maitland, and Kirkcaldy, complained of this, in vain. *Ib.* 335-38-83. On the 30th July, when the Abstinence was signed, Maitland wrote to Cecil; representing his intentions, and services, in making the Abstinence; and courting Cecil's favour, which was not to be had, without subservience. *Ib.* 332. On the 10th of August, Maitland wrote to the Scotish queen, representing the oppressed state of her party, in Scotland; the cruelties exercised on those, who held Edinburgh-castle; the remissness of France, in affording aid: And he added, that they had been compelled to agree to an Abstinence: This letter was intercepted. *Ib.* 364.

Edinburgh, Killigrew, Elizabeth's envoy, to negotiate, for her interests; bringing with him two *familiar* letters, from Secretary Cecil to Maitland, and Kirkcaldy [u]. Killigrew sent those letters by Melvill, while he communicated his commission to the regent. The English envoy returning from Stirling to Edinburgh, went into the castle, to visit Maitland, and Kirkcaldy, whom he found much more reasonable, in their desires of peace, than the regent's party [x]. The regent still considering the quiet of the country, as his great object, employed Sir James Melvill, as his envoy to Maitland, and Grange. He found them, as Killigrew had already perceived, very desirous of peace [y]. The regent agreeing, as we have seen, to the terms of Maitland, and Kirkcaldy, came from Stirling, to Edinburgh, for the convenience of the Privy Council, towards the ratification of the peace, which was so necessary, for all parties [z]. The *abstinence*, which was about to expire, was continued first, for eight days, and afterward, for two months; in order to settle a comprehensive peace, for so many parties [a]: But, the star of Morton, shining always brightest, during the troubled atmosphere of his country, shed its baneful influences on the regent's measures. Mar sickened at the sight: and retiring to Stirling, disappointed, and chagrined, he died on the 28th of October

---

[u] Bannatyne, 388; Melvill's *Mem.* 115-17.

[x] Melvill, 116.

[y] *Ib.* 117; wherein their reasonable terms may be seen; and may be compared with the same terms, as stated, in Spottiswoode, 263: But, the regent's answers, in Spottiswoode, 264, do not agree with those in Melvill, who expressly says, that the regent agreed with those terms; calling in Murray, the Comptroller, to witness the conditions: And, Melvill adds, "the regent put his hand in mine, and did swear to the peace, in the said Comptroller's presence." Melvill's *Mem.* 117: So that Spottiswoode must be, egregiously, mistaken, in relating this transaction.

[z] Melvill, 118.

[a] Bannatyne, 397. Maitland, and Kirkcaldy, said to Melvill, "They desired no man's lands, nor goods; but only the liberty, of peaceably enjoying, their own." The Governor of Edinburgh-castle, indeed, desired the regent, to pay for repairing the castle, and artillery, which the regent agreed to. Mel. *Mem.* 117.

1572 [b]: And he was succeeded, by Morton, as regent, under the happier auspices of Cecil, and Elizabeth, whose agent he was, in an evil hour for his country.

Maitland, and Knox, were old enemies, as Cecil had once been. When Kirkcaldy, as governor of the Castle, commanded, also, the city of Edinburgh, Knox retired, from his enmity, to St. Andrews. When the abstinence enabled the preacher to return, he was invited back to his charge, by appropriate Commissioners: But, he would not consent, to return, till those Commissioners stipulated, that his tongue should not be bridled, from railing against Maitland, Kirkcaldy, and their associates, in the Castle [c]. Of this privilege, he made abundant use; thinking to make them, by vehement accusation, as odious to the people, as the preachers had made the queen. He at length accused Maitland of *atheism*. Of such an accusation, Maitland complained to the constituted authorities of the Edinburgh Church; charging the preacher with abusing his privilege, with want of Christian charity, and defiance of good order, without which no established society could possibly exist. The feebleness of Knox's answer seems to evince, that he had said of Maitland what he could not prove: But, it was vain to seek redress, from such men, during such times [d]. The preachers had learned, from Knox, that there could be no preaching, without impertinence; and the people had been taught, to allow impertinence, rather than want preaching. Neither party seemed to look up through the Scripture to the example of the Saviour of mankind, which was meekness itself; or to consider, that his di-

---

[b] Such is Spottiswoode's account of the death of the Regent Mar. *Hist.* 264. But, Melvill, who acted, in the passing scene, tells this sad tale, in very different terms: Till the Privy Council could be convened, the regent went to Dalkeith, where he was nobly treated, by the Lord Morton; shortly after, *he took a vehement sickness*, which caused him to ride to Stirling, where he died regretted, by many: Some of his friends, and the vulgar, suspected, *he had gotten wrong* at Morton's banquet. *Mem.* 118.

[c] Bannatyne, 372-3. [d] *Ib.* 415-16.

vine doctrine consisted in meekness; or to advert, that charity, and calumniation, cannot exist together; as their several qualities are quite distinct. Knox died, on the 24th of November 1572, the ominous day, on which Morton was chosen regent[e]. It was the opinion of the historian, Robertson, that Knox's sermons had taught the Scotish people liberal notions of true government[f]. The historian had certainly never heard Knox's Sermons, and had, perhaps, never read his "First Blast of the Trumpet against the monstrous Regiment [Government] of Women[g]." Knox therein expresses his astonishment, "that none of the learned men of England are found so stout of courage, nor loving to their nation, that they dare admonish the inhabitants, how abominable before God is the empire, or rule, of a wicked woman, yea of a trai-

---

[e] Bannatyne, 425-7.

[f] The historian Hume seems to have thought differently from Robertson, touching Knox, and his sermons.

[g] I have before me the first edition of this book, 1558, without the printer's name. This libel, as we learn from Strype, was answered, by John Aylmer, who was afterwards Bishop of London, in a tract, entitled "An Harborowe for faithful and true Subjects, against the late blown Blaste concerning the Government of Women." This curious book, which seems to have been printed, at Strasborowe, in April 1559, I have now before me. "Happening not long agone," he says, "to read a little booke, strange written, by a stranger, to prove, that the rule of women is out of rule, and not in a commonwealth tolerable: And weighing at the first what harm might come of it, and feeling at the last, that it hath not a little wounded the conscience of the simple, and almost cracked the duty of true obedience: I thought it more than necessary to lay before men's eyes the untruth of the argument, the weakness of the proofs, and the absurdity of the whole. In the sifting whereof, I mind to use such modesty, that it shall appear to all indifferent men, that I seek to *defend the cause*, and not to *deface the* man." Aylmer had fifty times more wit, more learning, and more argument, than Knox. Under Bishop Aylmer, I must shelter one of my above-said sentiments: "So that," says he, "*good example* is, oft-times, much better than *a great deal of preaching*." Knox, by tedious epistles, tried to quiet Elizabeth's apprehensions of his Blast, and to mollify Cecil's wrath. The Secretary condescended to answer Knox, by a letter from Oxford, on the 28th of July 1559: "Mr. Knox! Mr. Knox! Mr. Knox! There is neither male, nor female; all are one, in Christ, saith Paul. Blessed is the man, who confides in the Lord! I need to wish you no more prudence than God's grace; whereof God send you plenty.—W. Cecil."

tress, and bastard." Such were Knox's liberal notions of government! By his fanaticism, and forwardness, Knox injured himself, in the judgement of the wisest men; he quarrelled with Murray; he maligned Maitland; and he offended Cecil: Elizabeth's Secretary wrote to Sadler, and Crofts, on the last day of October 1559, when Commissioners were to be sent, from the Scotish Reformers: "Of all others, Knox's name, if it be not Goodman's, is most odious here; and therefore, I wish no mention of him hither: If Balnavis should come, it would prove dangerous[h]." We thus see what impressions the principles, and practices, of such men had made on the court of England, which yet employed them to embarrass, and ruin the Scotish queen. The notions of government, which were entertained, and acted upon, by Knox, and Goodman, by Balnavis, and Buchanan, are the very notions, which are now so well known, and so much detested, under the name of *Jacobinism*: and which, as they are only fit for revolutionary societies, cannot be easily tolerated, under any settled government. But, Robertson did not live long enough, to feel, and to fear, the danger of such doctrines.

Neither Knox, nor wiser men, sufficiently, considered the immoral tendency of *reformations*, which are effected, by such means; by calumny, and violence, by tergiversation, and treachery. They did not, amidst the passing scenes of tumult, and villany, look back upon the civil wars of Greece, and of Rome, which had produced such degrading effects on the human character[i]. What

[h] Sadler's *late Letters*, i. 532. Goodman was odious to Elizabeth, for his book, printed at Geneva, by Crispin, in 1558: "How superior powers ought to be obeyed of their subjects; and wherein they may lawfully, by God's word, be disobeyed, and resisted." It was in this tract, that Goodman justified *Wyatt's Rebellion*; and declared him to be blessed, therefore, in heaven. Balnavis was one of the assassins of Beaton, and a pensioner of England, under Edward VI., and a Lord of Session, under Murray.

[i] Lord Lyttelton, in his *Henry II.* [B. iii. ch. 51.] shows, that all *civil wars* cause a laxity of principle, and depravity of practice.

ancient history had said of the effects of civil wars, and tumultuous reformation, the revolutions of America, and of France, amply confirmed. Luther, and Knox, both lived, to deplore the wickedness of the world, after their several reformations [k].

The history of Scotland, through many a wretched age, evinces the truth of those principles, and exhibits too many examples of their deplorable effects.

With the death of the Regent Mar all hopes of peace vanished. Morton, only, looked for forfeitures, and wished for spoils. At that epoch, the friends of the Scotish queen were divided into two parties, though they were united on a general principle. Hamilton, and Huntley, were at the head of one party; Maitland, and Kirkcaldy, who held the castle of Edinburgh, were at the head of the other: And of this division, Morton availed himself, in negotiating a reconcilement. Maitland, and Kirkcaldy, by desiring to include the whole of the queen's friends, acted the most disinterestedly: Hamilton, and Huntley, by making an accommodation, without including those, in Edinburgh-castle, acted most feebly, and interestedly [l]. Thus stood the distraction of Scotland, in which Maitland had his full share, at the end of 1572, when the *abstinence* expired.

Hostilities now began with the defenders of Edinburgh-castle; while the abstinence was continued with Hamilton, and Huntley; for concluding the accommodation with them [m]. Maitland, and Kirkcaldy, endeavoured to invigorate the spirits of Huntley to per-

---

[k] See Luther's *Sermons*, everywhere; see his *Postill. super Evangelia*, 1. *Dom. Advent.*

[l] Melvill's *Mem.* 119-20; Dalyell's *Illustrations*, 474. Melvill acted as the agent of Morton, in making that pacification; and of course is the best authority: Elizabeth, and Cecil, who wished to deceive the French court, as to the state of Scotland, are scarcely to be believed. See their several papers, in Digges's *Ambassador.*

[m] On the 17th of January 1572-3, Maitland, and Kirkcaldy, wrote to La Motte, the French ambassador; representing the breach of the Abstinence; their reduced state; and desiring relief, from France. *Cot. Lib. Calig.* C iii. 388.

severe, in the cause of his injured mistress[n]. But, his means were exhausted, and his hopes failed, as the danger drew near. On the 23d of February 1572-3, a reconcilement was made, at Perth, by the Regent Morton with Hamilton, and Huntley, under the mediation of Killigrew, Elizabeth's agent: But, as no provision was now made, for Maitland, and Kirkcaldy, they were offered as a sacrifice to Morton's resentment[o]. From Perth, where that treaty was made, Hamilton, and Huntley, wrote to Kirkcaldy; lamenting their necessities, and thanking him, for his services[p]. Such a letter, at such a time, from such men, without noticing Maitland, only, told Kirkcaldy, that he must surrender Edinburgh-castle to the king's regent, without hope of pardon to any of the queen's friends within it.

As soon as they heard of such a reconcilement, on such stipulations, Maitland, and Kirkcaldy, renewed their offers of submission to the regent, on any reasonable terms: But, Morton, would scarcely listen to any offers, from those, whom, he hoped, soon to crush[q]. Yet, he gave out what was repeated, by his party, and reechoed from the pulpits, for involving them in popular hatred, that they were so wilful, as to refuse to serve the king, or to acknowledge his regent[r]. Morton, acting in concert with Elizabeth,

[n] In the *Cot. Lib. Calig.* C iv. 22, there is a letter from Maitland, and Kirkcaldy, to the Earl of Huntley, 23d February 1572-3; exhorting him, not to forsake their cause hastily: This letter was written, from Edinburgh-castle, on the same day, that Huntley, and Hamilton, made their peace, with the regent, at Perth. On the same day, Maitland wrote to Lady Livingston, desiring her, to use all her influence with Alexander Erskine, the brother of the late Regent Marr, to keep the young king, and Stirling-castle, out of the hands of the regent, and the English party. *Id.*

[o] See the treaty in Bannatyne's *Journal*, 455; the *Contemp. Hist. of K. James VI.* 211-28; and Killigrew's declaration, in Robertson's *Hist. App.* No. vi.

[p] Melvill's *Mem.* 120, who complains of Hamilton, and Huntley's ingratitude to Kirkcaldy.

[q] Melvill's *Mem.* 119-20, who perfectly knew the fact.

[r] Spottiswoode, 270; and the *Contemp. Hist. of K. James VI.* 229, re-echo the fictions of Morton. See Elizabeth's instructions to the Earl of Worcester, going Ambassador to France, dated the 11th January 1572-3: "They, in the Castle,

knew, that he could any day, bring from Berwick an army, which would soon lay the castle in ruins[s]. In the end of February 1573, he applied to his willing associate, for the necessary force[t]. In this extremity, Maitland and Kirkcaldy offered to surrender the castle to the Earl of Rothes, for the regent's use, on their former terms of personal safety to themselves, and friends: But, Morton would agree to no other terms, than absolute submission[u]. Meantime, the Earl of Rothes, and Lord Boyd, endeavoured to persuade Kirkcaldy, and Maitland, "to yield, for their own welfare." But, they still refused, unless the regent would grant them the terms, which they had given in, on the preceding 24th of August[x]. Sir William Drury, the marshal of Berwick, who knew the defences of the castle, came, with his army, to cut this knot, which could not be untied. The regent, immediately, joined him with his forces. The siege began, on the 25th of April 1573; and after a well-conducted, and obstinate defence, of four-and-thirty days, surrendered, by Maitland's advice, to Drury, under his promise, in Elizabeth's name, that the governor, and his associates, should be favourably treated[y].

---

would not agree to any *reasonable terms, not minding to have any peace.*" The fact, throughout this instruction, is wilfully misstated, for the purpose of delusion. Digges's *Ambas.* 320.

[s] Mr. Secretary Smith wrote to Walsingham, the ambassador at Paris, soon after the pacification of Perth: "There is none left now, in all Scotland, but Lethington, and Grange, in the castle of Edinburgh, who refuse the king, and the regent's authority, who must either yield, *or else they will be pulled out by the ears.*" *Ib.* 346.

[t] On the 2d of March 1572-3, Maitland, and Kirkcaldy, wrote to Killigrew, vindicating themselves, and charging the Earl of Morton: They remonstrated against Elizabeth's sending troops to crush them. *Calig.* C iii. 117.

[u] Melvill's *Mem.* 120. On the 1st of April 1573, the English pioneers, for the siege of Edinburgh-castle, arrived from Berwick, by water, at Leith. *Contemporary Hist. of K. James VI.* 230. The governor applied, now, for an abstinence, till the 9th of April; but, this was refused. *Id.* [x] *Id.*

[y] Melvill's *Mem.* 120-1. There now surrendered Sir William Kirkcaldy of Grange, the governor; Sir James Kirkcaldy, his brother; William Maitland of Lethington, the celebrated Secretary, and his wife, his brother, John Maitland, the Commendator of Coldingham; Lord Home, and his lady; Sir Robert Melvill, the creature

William Maitland, who was not second to any statesman, during an age of talents, died about the 9th of June 1573: Godscroft, the historian of the Douglases, says, "He deceased on the 9th of July [June] at Leith, where he lay with Drury, before he was suspected, and reported, to have poisoned himself[z]." There is yet extant, a pathetic letter, from Maitland's second wife, the celebrated Mary Fleming, praying that, *his body might suffer no shame*[a]. Such a letter, from such a woman, of such a man, ought to be given to the curiosity of the public.

The character of Secretary Maitland, has been drawn in very striking colours, by the vigorous pencil of a great artist: "Such a very extraordinary man does Lethington appear, under the pour-

---

of Murray, his brother Sir Andrew Melvill, and several gentlemen of Fife, and some citizens of Edinburgh. On the application of Morton to Elizabeth, she consented to deliver them over to Morton's will, in violation, says Melvill, 121, of her honour pledged, by her commander. Maitland, and Kirkcaldy, continued to write to Killigrew, and Cecil; but, he was as deaf, as his mistress, to the voice of honour. Letters in the *Cot. Lib. Calig.* C iii. 461; and C iv. 86.

[z] *Hist. Douglases,* 329. Killigrew, the English envoy, at Edinburgh, wrote the Lords of the Council, on the 13th of June, of the death of Lethington, who, he says, "died not without suspicion of poison." *Cot. Lib. Calig.* C iv. 101; Melvill, 133, and Spottiswoode, 272, concur in saying, that being surrendered, by Elizabeth, he died, after the *Roman manner*. Doctor Robertson is completely mistaken, in stating Maitland's *voluntary death* to have happened, *after* the execution of Kirkcaldy, as it *actually happened* near *two months before* the execution of that gallant soldier, which took place, on the 3d of August 1573, with every aggravation of the pains of treason. Morton, who dealt in poison, is said to be more than suspected of having poisoned Maitland. This last intimation seems to have been conveyed to the imprisoned Mary: In writing to Elizabeth, the Scotish queen, after remarking, that the rebels had gone further than they thought, and being satisfied of the truth being evidenced, concerning the calumnies propagated against her, at the conference, "the principals, for having come to repentance, were besieged, by your forces, in the castle of Edinburgh; and *one of the first among them poisoned,* and the other most cruelly hanged; after I had twice made them lay down their arms, at your request, in hopes of an agreement, which, God knows, whether my enemies aimed at." Whitaker's *Vind.* iii. 592. This is the only original authority, which seems to justify the suspicion of Maitland having been poisoned.

[a] Dalyel's *Biographical Sketches,* 133.

traying pencil of Buchanan! Nor, can we make any deductions, from this imputed extravagance of perfidiousness in him; because of the slanderous tendency of Buchanan's temper. Some of these facts, we know to be true. All of them serve only to give us back the image a little enlarged; and a little disfigured, perhaps, which the mirror of history had held up to us before. Lethington felt a perpetual versatility in his spirit, a perpetual unfaithfulness in his principles, and a perpetual fund of resources, at the call of both, in the dexterity of his own management. He was happy to render himself an important associate to his party, which he was actually serving at the time. To undermine his enemies, and to countermine his friends, appears to have been the great ambition of his refining genius. And thus, in the very moment, when he was fabricating that grand system of imposition against Mary, he would plume himself at once on forming it, and on giving it, during the formation, such private marks, such secret signatures, by little errors in time, and by petty variations, from fact, as would escape the notice of every other eye; and yet, should enable him, whenever he pleased, to expose the whole villany completely to the world." Such is the singular portrait of this extraordinary statesman!

But, what character can be drawn of a person, whose life was a life of *crime?* Falsehood and forgery, artifice and perfidy, murder and assassination, treason, and subduction of his own country to a foreign power, were the crimes of which he was, undoubtedly, guilty. Whether he died, by his own hand, or by the hand of a wretch, who was more criminal than himself, is somewhat doubtful. Killigrew, the English agent, wrote, from Edinburgh, to the Lords of the English Council, on the 12th of June 1573: "Nothing remarkable has occurred here of late, but Ledington's death, whereof my Lord general doth advertise your lordships; *who died not without suspicion of poison;* although, for my own part, I am able to say nothing therein: For, I neither do see, nor speak with any of the prisoners, since they came forth [of the

castle]; because they were so odious, both to the regent, and the people [b]." The following is the Lord general's letter to Burleigh, from Edinburgh, on the 18th of June 1573: "After the regent's coming to Edinburgh, and the ambassador, on Monday last; after the conference with them both, next day, I delivered to the regent, in presence of the ambassador, the prisoners committed to me; viz. Lord Home, Grange, Coldingham, Robert Melvill, whom the regent intends to keep, in Holyrood-house, till her majesty's pleasure be further known. I have been pressed, by the Earl of Athol, and others, *that the body of Lidington might be buried, and not remain above the earth, as it does*; but, being stayed, for some further matter, I could say little therein [b]."

That Secretary Maitland was guilty, with others, of the late king's death, is quite obvious: The meeting with Morton, in company with Bothwell, whom Maitland carried to Whittingham, for concerting that murder, is the very fact, for which the regent Morton was brought to the block, in 1581[c]. At the parliament, which was convened, by the regent Lennox, on the 14th of May 1571, Secretary Maitland was declared guilty of the murder of the late king[d].

The following is the letter of Mary, the widow of Secretary Maitland, from Edinburgh, on the 21st of June 1573, to Lord

---

[b] The original is in the Paper Office.

[c] The conviction of the Regent Morton was confirmed by Parliament, on the 29th of November 1581. *Acta Parl.* iii. 227.

[d] Bannatyne's *Journal*, 154; Spottiswoode, 253; and Sir Lewis Steuart has gathered into his MS. Col. the forfeiture of Maitland, "for art and part of the treason, conspiracy, consultation, and treating of the king's murder." The *domes, and decrees*, of that parliament, in May, were ratified, by the parliament of August 1571. *Acta Parl.* iii. 58. In the parliament of the 10th of November 1579, there was an act, "for rendering the children, both lawful and natural, of Sir William Maitland of Lethington, the younger, and of several others, who had been convicted of the murder of the king's father, incapable of enjoying, or claiming, any heritages, lands, or possessions, in Scotland." *Ib.* 137.

Burleigh; from the original, in the Cotton Library, *Caligula* C iv. 102.

"My very good Lord: after my humble commendations, it may please your lop that the causes of the sorrowful widow, and *orphants* being by Almighty God recommended to the superior powers, together with the firm confidence my late husband, the Laird of Ledington, put in your lops only help in the occasion, that I his desolate wife (though unknown to your lop) takes the boldness by these few lines to humblie request your lop, that as my said husband being alive expected no small benefit at your hands, so now I may find such comfort, that the queen's majestie, your sovereign, may by your means be moved to write to my Lord Regent of Scotland, that the body of my husband, which when alive has not been spared in her hieness service, may now, after his death, receive no shame, or ignominy, and that his heritage taken from him, during his life-time, now belonging to me and *his children*, that have not offended, by a disposition made a long time agoe, may be restored, which is aggreable both to equity, and the laws of this realme; and also your lop will not forget my husband's brother, the Lord of Goldingham, ane innocent gentleman, who was never engaged in these quarrells, but for his love to his brother, accompanied him, and is now a prisoner with the rest, that by your good means, and procurement, he may be restored to his own, which beside the blessing of God, will also win you the good-will of many noblemen and gentlemen."

THE END.

Rob.t Cooper Sculp.t

South view of the Monument of Mary Queen of Scots in the south Aisle of Henry 7.th Chapel, Westminster Abbey.

LONDON:
PRINTED BY RICHARD AND ARTHUR TAYLOR,
SHOE-LANE.

00032267

Due Date
29 FEB 1983

Digitized with financial assistance from the
Government of Maharashtra
on 21 October, 2015